



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final City Plan Commission

*Any questions about items on this meeting are to be directed to
the Community and Economic Development Department,
920-832-6468.*

Wednesday, June 23, 2021

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[21-0845](#) City Plan Minutes from 6-9-21

Attachments: [City Plan Minutes 6-9-21.pdf](#)

4. Public Hearings/Apearances

- [21-0846](#) Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 for 719 West Packard Street (Tax Id #31-5-1232-00) from future One and Two-Family Residential land use designation to Mixed Use land use designation, as shown on the attached map, and approve the attached Resolution (Associated with Action Item #21-0847)

Attachments: [ClassIIPublicHearingNoticeNewspaper FormerVFWSite CompPlanAmend#2-2 InformalPublicHearingNotice FormerVFWSite CompPlan+Rezoning.pdf](#)

- [21-0848](#) Rezoning #7-21 for subject parcels generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00), including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street, as shown on the attached maps, from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District (Associated with Action Item #21-0849)

Attachments: [InformalPublicHearingNotice FormerVFWSite CompPlan+Rezoning.pdf](#)

[21-0850](#) Rezoning #6-21 for the subject parcel located at 2700 East Calumet Street (Tax Id #31-4-5880-00), including the adjacent one-half (1/2) right-of-way of East John Street and East Calumet Street, as shown on the attached maps, from PD/C-2 Family Video Planned Development General Commercial District #23-99 to C-2 General Commercial District (Associated with Action Item #21-0851)

Attachments: [InformalPublicHearingNotice_2700ECalumetSt_Rezoning#6-21.pdf](#)

[21-0852](#) Rezoning #8-21 for the subject undeveloped parcel located on Coolidge Court (Tax Id #31-9-1117-00), including the adjacent one-half (1/2) right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District #34-84 to R-3 Multi-Family District (Associated with Action Item #21-0853)

Attachments: [InformalPublicHearingNotice_CoolidgeCourt_Rezoning#8-21.pdf](#)

[21-0854](#) Special Use Permit #1-21 to allow alcohol sales and consumption (inside the building and outdoors on the premises) located at 141 South RiverHeath Way (Tax Id #31-4-0828-08), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #21-0855)

Attachments: [ClassIIPublicHearingNoticeNewspaper_141RiverHeathWay_SUP#1-21.pdf](#)
[PublicHearingNoticeNeighborhood_141RiverHeathWay_SUP#1-21.pdf](#)

5. Action Items

[21-0847](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 for 719 West Packard Street (Tax Id #31-5-1232-00) from future One and Two-Family Residential land use designation to Mixed Use land use designation, as shown on the attached map, and approve the attached Resolution

Attachments: [StaffReport_FormerVFWSite_CompPlan+Rezoning_For06-23-21.pdf](#)

[21-0849](#) Request to approve Rezoning #7-21 for subject parcels generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00), including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street, as shown on the attached maps, from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_FormerVFWSite_CompPlan+Rezoning_For06-23-21.pdf](#)

[21-0851](#) Request to approve Rezoning #6-21 for the subject parcel located at 2700 East Calumet Street (Tax Id #31-4-5880-00), including the adjacent one-half (1/2) right-of-way of East John Street and East Calumet Street, as shown on the attached maps, from PD/C-2 Family Video Planned Development General Commercial District #23-99 to C-2 General Commercial District

Attachments: [StaffReport Family Video Rezoning For06-23-21.pdf](#)

[21-0853](#) Request to approve Rezoning #8-21 for the subject undeveloped parcel located on Coolidge Court (Tax Id #31-9-1117-00), including the adjacent one-half (1/2) right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District #34-84 to R-3 Multi-Family District

Attachments: [StaffReport CoolidgeCourt Rezoning For06-23-21.pdf](#)

[21-0855](#) Request to approve Special Use Permit #1-21 to allow alcohol sales and consumption (inside the building and outdoors on the premises) located at 141 South RiverHeath Way (Tax Id #31-4-0828-08), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport 141RiverHeathWay SUP For06-23-21.pdf](#)

6. Information Items

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes - Final City Plan Commission

*Any questions about items on this meeting are to be directed
to the Community and Economic Development Department,
920-832-6468.*

Wednesday, June 9, 2021

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 3:30 p.m.

2. Roll call of membership

Dr. Robins arrived at 3:56 p.m.

Present: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

Others present:

Alderson Brad Firkus, District #3

Alderson Sheri Hartzheim, District #13

Alex Drossart, 324 E. South River Street

Tom Klister, Commercial Horizons

3. Approval of minutes from previous meeting

[21-0762](#)

City Plan Minutes from 5-26-21

Attachments: [City Plan Minutes 5-26-21.pdf](#)

Fenton moved, seconded by Palm, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 5 - Palm, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

Absent: 1 - Robins

4. Public Hearings/Apearances

[21-0763](#)

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-21 for the subject parcel generally located along North Alvin Street, south of West Evergreen Drive and north of Interstate 41 (Tax Id #31-6-4500-01), from future Public/Institutional land use designation to Commercial land use designation as shown on the attached map and approve the attached Resolution (Associated with Action Item #21-0764)

Attachments: [ClassIIPublicHearingNoticeNewspaper CommercialHorizonsNALvinSt CompPlanAmend#1-21.pdf](#)
[InformalPublicHearingNotice CommercialHorizonsNALvinSt CompPlan +Rezoning.pdf](#)

This public hearing was held, and no one spoke on the item.

[21-0765](#)

Rezoning #5-21 for the subject parcel generally located along North Alvin Street, south of West Evergreen Drive and north of Interstate 41 (Tax Id #31-6-4500-01), including the adjacent one-half (1/2) right-of-way of North Alvin Street and Interstate 41, as shown on the attached maps, from P-I Public Institutional District and AG Agricultural District to C-2 General Commercial District (Associated with Action Item #21-0766)

Attachments: [InformalPublicHearingNotice CommercialHorizonsNALvinSt CompPlan +Rezoning.pdf](#)

This public hearing was held, and no one spoke on the item.

[21-0767](#)

Proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code to create Article III., Sec. 23-55 Accessory Dwelling Units (Attached and Detached) and Sec. 23-56 Junior Accessory Dwelling Units (JADU) and amend Sec. 23-43 Accessory uses, building and structures, Sec. 23-92 R-1A Single-Family District, Sec. 23-93 R-1B Single-Family District, Sec. 23-94 R-1C Central City Residential District, Sec. 23-95 R-2 Two-Family District, and Sec. 23-96 R-3 Multifamily District, as identified in the attached documents (Associated with Action Item #21-0768)

Attachments: [InformalPublicHearingNotice_ZOTextAmendmentsADU.pdf](#)

This public hearing was held, and Alderpersons Hartzheim and Firkus spoke on the item and City staff answered questions.

5. Action Items

[21-0764](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-21 for the subject parcel generally located along North Alvin Street, south of West Evergreen Drive and north of Interstate 41 (Tax Id #31-6-4500-01), from future Public/Institutional land use designation to Commercial land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport_CommercialHorizonsNAlvinSt_CompPlan+Rezoning_For06-09-21.pdf](#)

Proceeds to Council on July 21, 2021.

Fenton moved, seconded by Palm, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

Absent: 1 - Robins

[21-0766](#)

Request to approve Rezoning #5-21 for the subject parcel generally located along North Alvin Street, south of West Evergreen Drive and north of Interstate 41 (Tax Id #31-6-4500-01), including the adjacent one-half (1/2) right-of-way of North Alvin Street and Interstate 41, as shown on the attached maps, from P-I Public Institutional District and AG Agricultural District to C-2 General Commercial District

Attachments: [StaffReport_CommercialHorizonsNAlvinSt_CompPlan+Rezoning_For06-09-21.pdf](#)

Proceeds to Council on July 21, 2021.

Fenton moved, seconded by Palm, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Palm, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

Absent: 1 - Robins

[21-0059](#)

Resolution #1-R-21 Accessory Dwelling Units (Associated with Action Item #21-0768)

Attachments: [#1-R-21 Accessory Dwelling Units.pdf](#)

Proceeds to Council on July 7, 2021.

Palm moved, seconded by Uitenbroek, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

[21-0768](#)

Request to approve proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code to create Article III., Sec. 23-55 Accessory Dwelling Units (Attached and Detached) and Sec. 23-56 Junior Accessory Dwelling Units (JADU) and amend Sec. 23-43 Accessory uses, building and structures, Sec. 23-92 R-1A Single-Family District, Sec. 23-93 R-1B Single-Family District, Sec. 23-94 R-1C Central City Residential District, Sec. 23-95 R-2 Two-Family District, and Sec. 23-96 R-3 Multifamily District, as identified in the attached documents (Associated with Action Item #21-0059)

Attachments: [StaffReport_TextAmendments_ADU_JADU_Ordinance_For06-09-21.pdf](#)
[Accessory Dwelling Unit Matrix_June2021.pdf](#)
[Section 23-55 & 56 Draft ADU and JADU Zoning Regs_Commentary.pdf](#)
[Section 23-55 & 56 Draft ADU and JADU Zoning Regs_Cleanversion.pdf](#)

Proceeds to Council on July 7, 2021.

Fenton moved, seconded by Palm, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

[21-0769](#)

Request to approve the dedication of land for public right-of-way for a portion of Lawrence Street, generally located east of the intersection of Oneida Street and Lawrence Street (part of Tax Id #31-2-0052-00), as shown on the attached maps

Attachments: [StaffReport_LawrenceEastOfOneida_StreetDedication_For06-09-21.pdf](#)

Fenton moved, seconded by Palm, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

6. Information Items

7. Adjournment

Palm moved, seconded by Buetow, that the meeting be adjourned at 4:15 p.m. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Mayor Woodford, Fenton, Buetow and Uitenbroek

Excused: 1 - Dane

CITY OF APPLETON

NOTICE OF PUBLIC HEARING

PROPOSED COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Wednesday, June 23, 2021, at 3:30 P.M. in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Comprehensive Plan Future Land Use Map Amendment request.

Pursuant to Chapter 12: Implementation of the City of Appleton Comprehensive Plan 2010-2030, to consider a request by the owner/applicant, Core LLC, for the parcel located at 719 West Packard Street (Tax Id #31-5-1232-00) to amend the Comprehensive Plan Future Land Use Map from future One and Two-Family Residential land use to Mixed Use land use.

A copy of the proposed amendment to the Comprehensive Plan Future Land Use Map is available in the Appleton Community and Economic Development Department or the Office of the City Clerk from 8:00 a.m. until 4:30 p.m., Monday through Friday.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. Any questions regarding this matter should be directed to David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

RUN: June 8, 2021
June 15, 2021

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Wednesday, June 23, 2021, at 3:30 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the following proposed Comprehensive Plan Future Land Use Map Amendment and Rezoning requests.

COMMON DESCRIPTION:

Generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00).

ALDERMANIC DISTRICT: 10 – Alderperson Michael Smith

Comprehensive Plan Future Land Use Map Amendment Request:

A Comprehensive Plan Future Land Use Map amendment request has been initiated by the owner/applicant, Core LLC, pursuant to Wisconsin State Statute 66.1001 and the City of Appleton Comprehensive Plan 2010-2030. The owner requests to amend the Comprehensive Plan Future Land Use Map for:

- Parcel #31-5-1232-00 located at 719 West Packard Street from future One and Two-Family Residential land use to Mixed Use land use.

Rezoning Request:

A rezoning request has been initiated by the owner/applicant, Core LLC, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the following described real estate. The owner requests to rezone:

- Parcels located on West Packard Street, North Richmond Street, and West Harris Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00), as generally described above, including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street, from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District.

You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. The Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

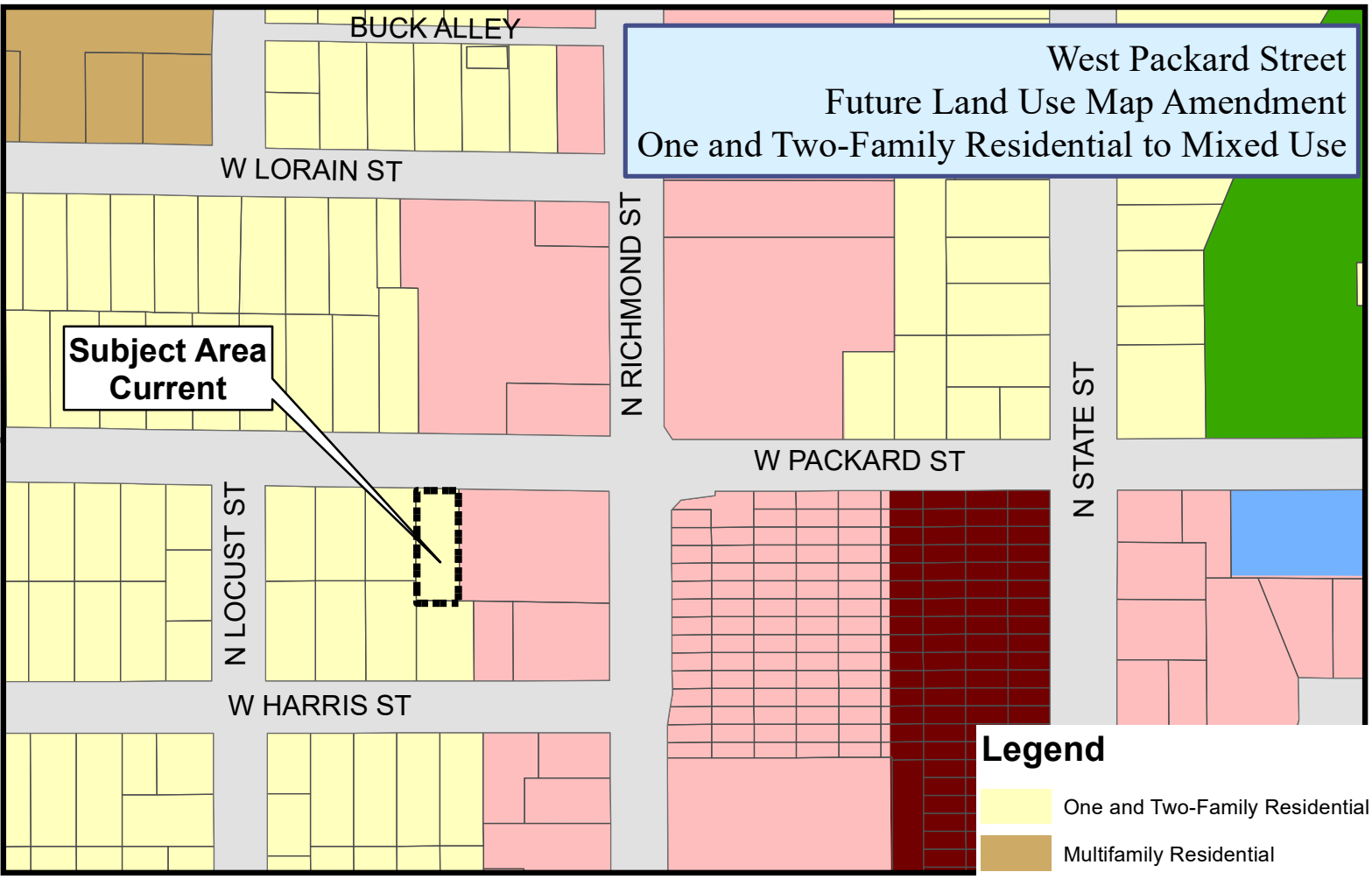
Any questions regarding this matter should be directed to David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

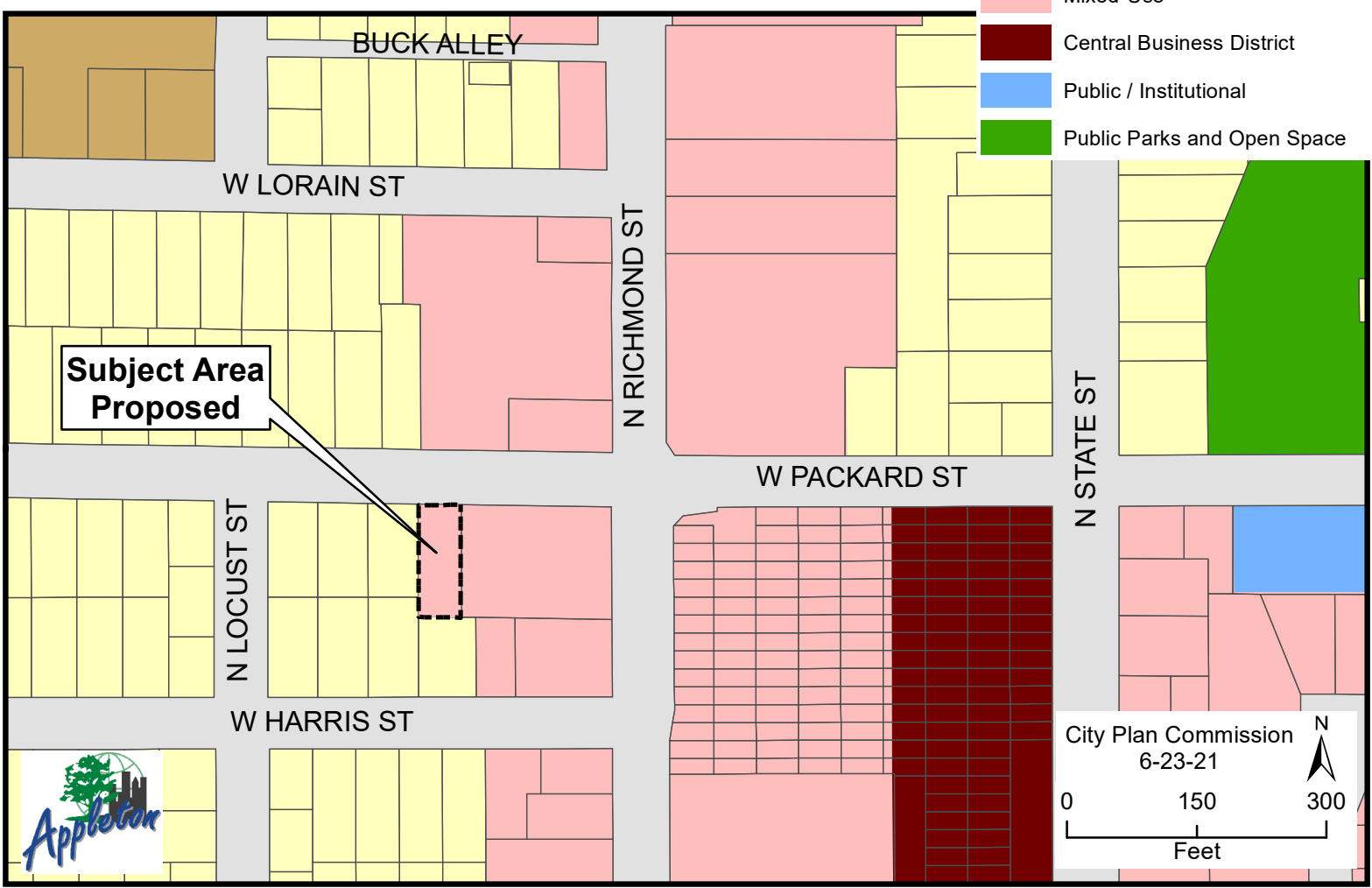
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL – 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

West Packard Street
 Future Land Use Map Amendment
 One and Two-Family Residential to Mixed Use



- Legend**
- One and Two-Family Residential
 - Multifamily Residential
 - Mixed-Use
 - Central Business District
 - Public / Institutional
 - Public Parks and Open Space



City Plan Commission
 6-23-21

0 150 300
 Feet

N



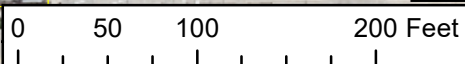
North Richmond Street & West Packard Street Rezoning
 C-2 General Commercial District, R-2 Two-Family District, and
 R-1C Central City Residential District to C-1 Neighborhood Mixed Use District
 Aerial Map



Subject Area



City Plan Commission
 6-23-2021



NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Wednesday, June 23, 2021, at 3:30 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the following proposed Comprehensive Plan Future Land Use Map Amendment and Rezoning requests.

COMMON DESCRIPTION:

Generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00).

ALDERMANIC DISTRICT: 10 – Alderperson Michael Smith

Comprehensive Plan Future Land Use Map Amendment Request:

A Comprehensive Plan Future Land Use Map amendment request has been initiated by the owner/applicant, Core LLC, pursuant to Wisconsin State Statute 66.1001 and the City of Appleton Comprehensive Plan 2010-2030. The owner requests to amend the Comprehensive Plan Future Land Use Map for:

- Parcel #31-5-1232-00 located at 719 West Packard Street from future One and Two-Family Residential land use to Mixed Use land use.

Rezoning Request:

A rezoning request has been initiated by the owner/applicant, Core LLC, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the following described real estate. The owner requests to rezone:

- Parcels located on West Packard Street, North Richmond Street, and West Harris Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00), as generally described above, including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street, from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District.

You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. The Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

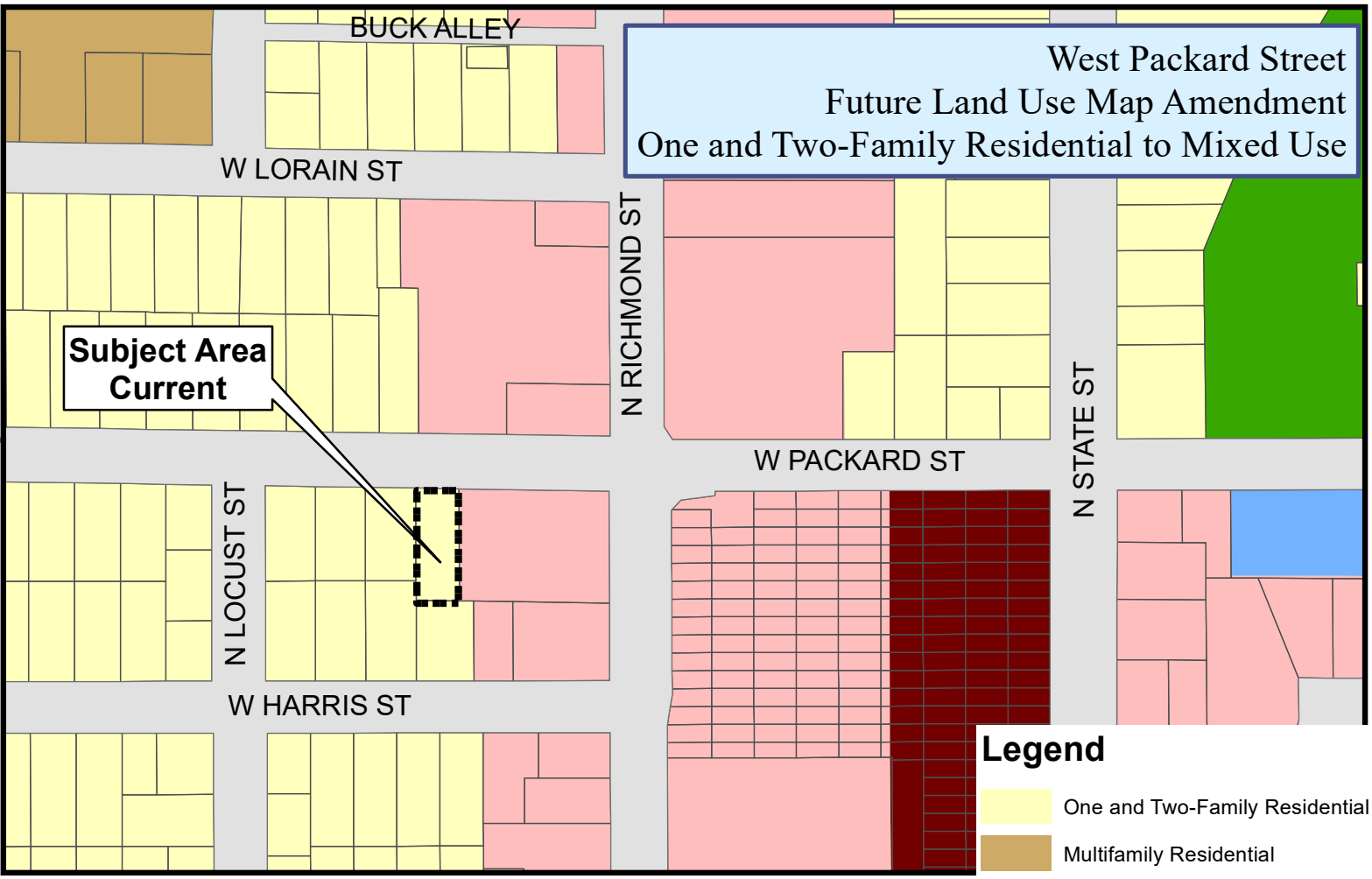
Any questions regarding this matter should be directed to David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

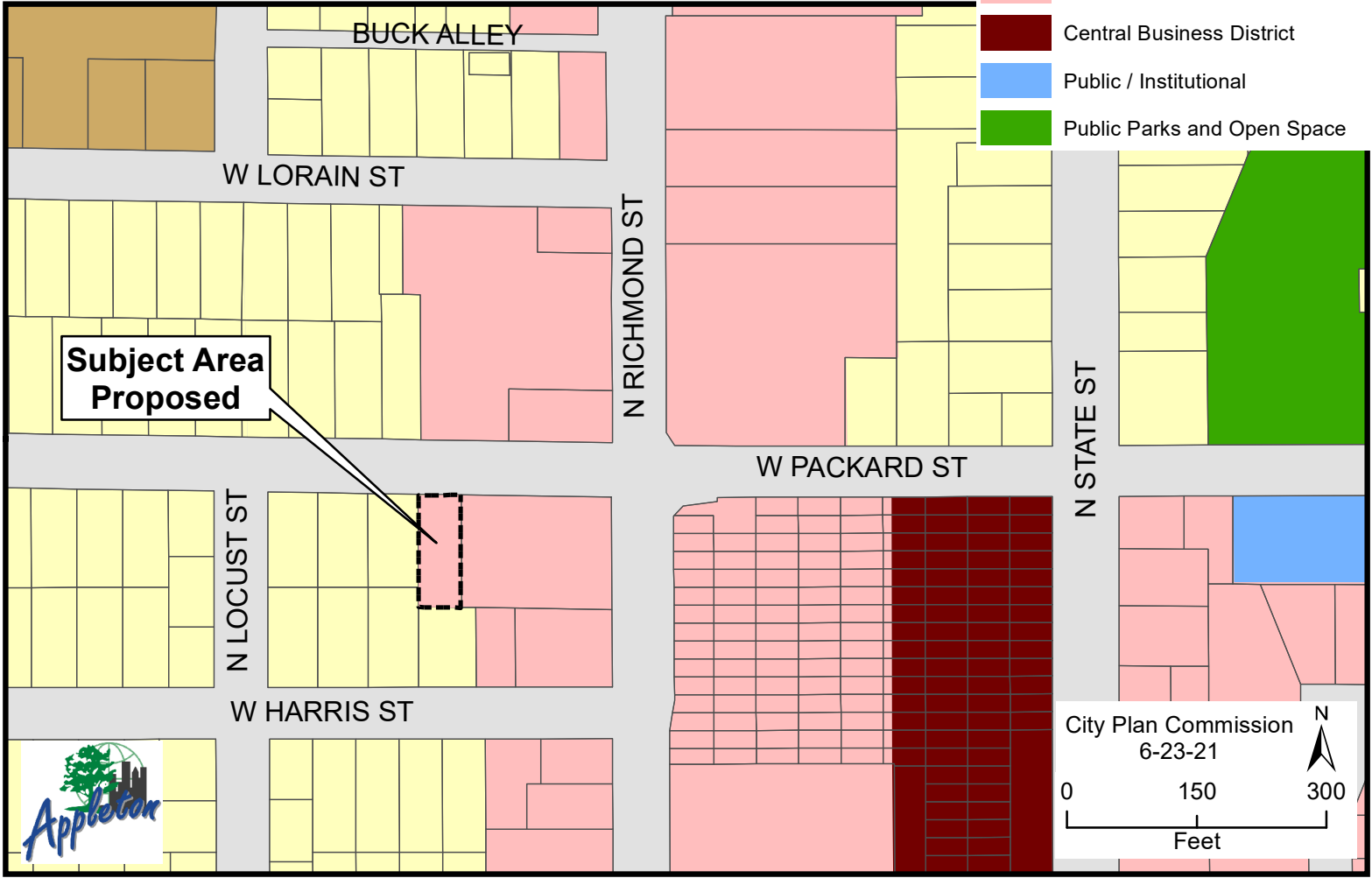
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL – 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

West Packard Street Future Land Use Map Amendment One and Two-Family Residential to Mixed Use



- Legend**
- One and Two-Family Residential
 - Multifamily Residential
 - Mixed-Use
 - Central Business District
 - Public / Institutional
 - Public Parks and Open Space



City Plan Commission
6-23-21

N

0 150 300

Feet



**North Richmond Street & West Packard Street Rezoning
C-2 General Commercial District, R-2 Two-Family District, and
R-1C Central City Residential District to C-1 Neighborhood Mixed Use District
Aerial Map**

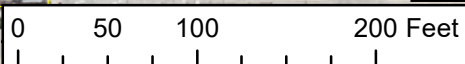


Subject Area

5-1101-1	5-1102-10	5-1103-1
5-1101-2	5-1102-11	5-1103-2
5-1101-3	5-1101-16	5-1102-12
5-1101-4	5-1101-20	5-1102-13
5-1101-5	5-1101-21	5-1102-14
5-1101-6	5-1101-22	5-1102-16
5-1101-7	5-1102-1	5-1103-1
5-1101-8	5-1102-2	5-1103-2
5-1101-9	5-1102-3	5-1103-3
5-1101-10	5-1102-4	5-1103-4
5-1101-11	5-1102-5	5-1103-5
5-1101-12	5-1102-6	5-1103-6
5-1101-13	5-1102-7	5-1103-7
5-1101-14	5-1102-8	5-1103-8
	5-1102-9	5-1103-9



City Plan Commission
6-23-2021



NOTICE OF INFORMAL PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Wednesday, June 23, 2021, at 3:30 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the following proposed rezoning request:

COMMON DESCRIPTION:

2700 East Calumet Street (Tax Id #31-4-5880-00), including the adjacent one-half (1/2) right-of-way of East John Street and East Calumet Street

Rezoning Request: A rezoning request has been initiated by the owner, Keith Hoogland Limited Partnership, and applicant, Michael Kohne, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which is currently zoned PD/C-2 Family Video Planned Development District #23-99 to C-2 General Commercial District (see attached maps).

History: In 1999, the Family Video Planned Development District #23-99 was approved to allow for the construction of a commercial two-tenant building to house a video rental/retail store and a pizza store on this parcel. Recently, the tenants have vacated the building, and the property owner is marketing the building for re-use. The existing planned development district standards (PD/C-2 Family Video Planned Development District #23-99) only allow for video rental store and pizza restaurant uses on this parcel.

Purpose of the Request: The owner/applicant is making this request to remove the Planned Development Overlay District and rezone the parcel to the base C-2 General Commercial District. The proposed rezoning will provide for additional permitted uses on this parcel for the re-use of the vacant tenant space.

ALDERMANIC DISTRICT: 5 – Alderperson Katie Van Zeeland

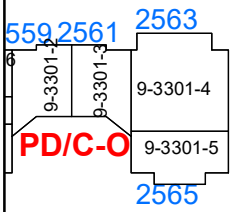
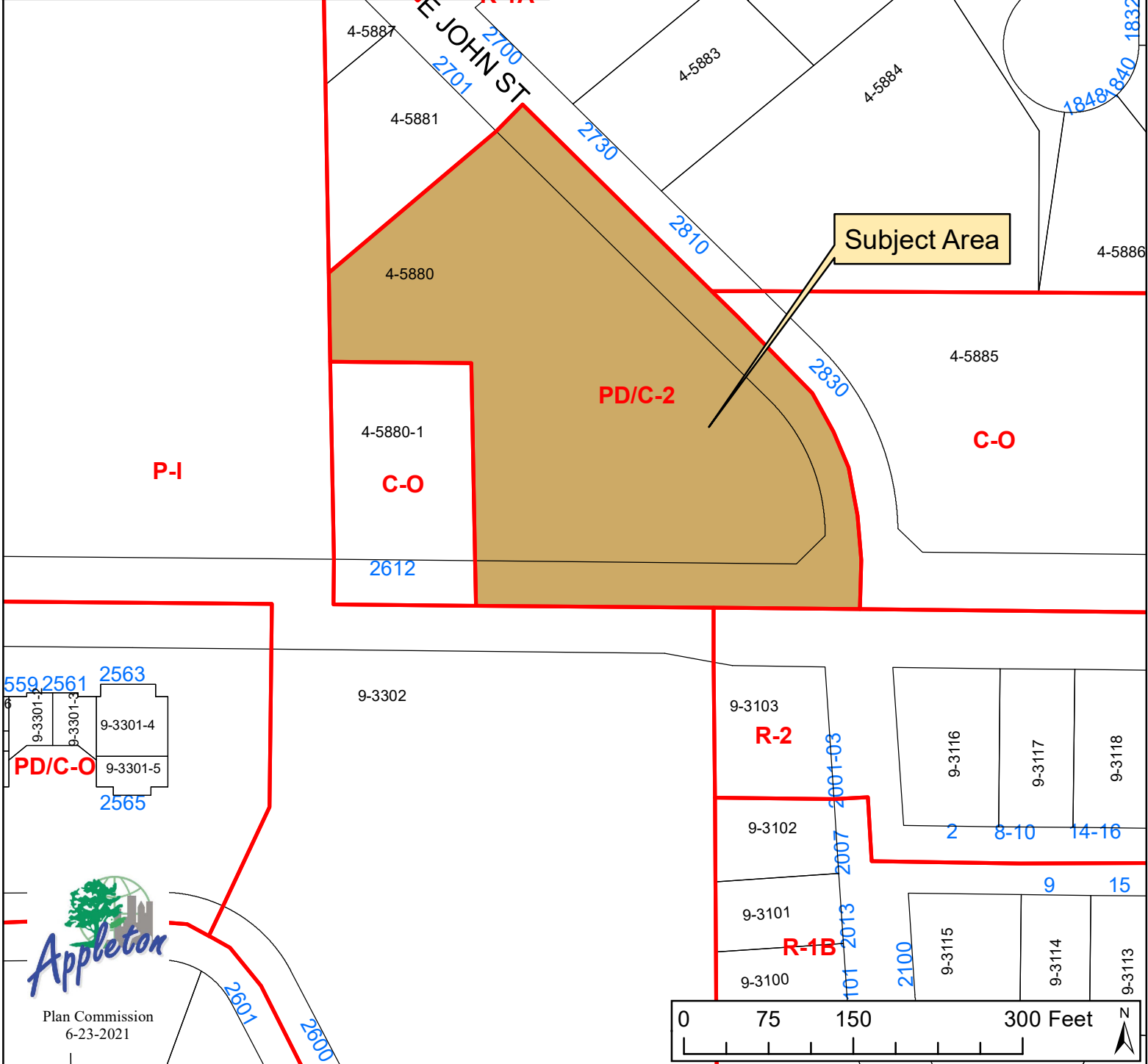
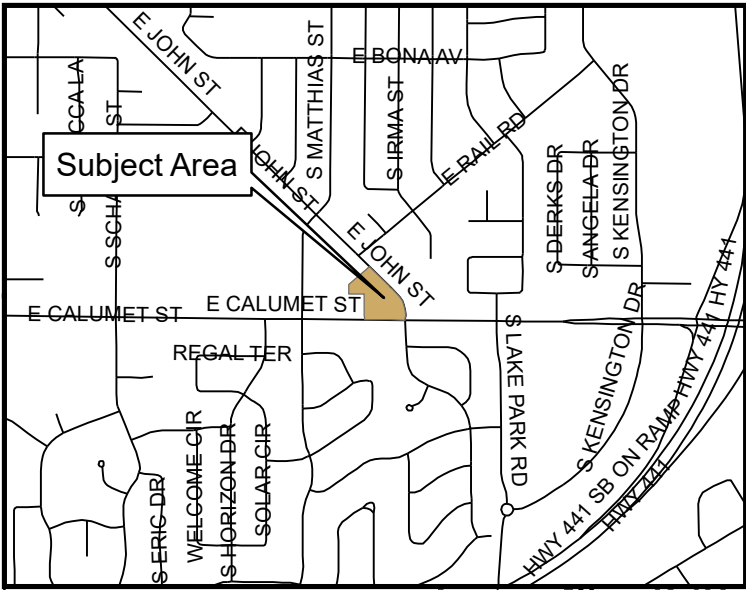
You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org.

CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Rezoning
 2700 E. Calumet Street
 PD/C-2 Planned Development District #23-99 to
 C-2 General Commerical District
 Zoning Map



Plan Commission
 6-23-2021

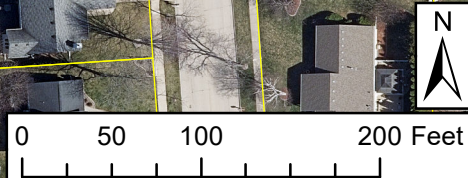
Rezoning
2700 E. Calumet Street
PD/C-2 Planned Development District #23-99 to C-2 General Commerical District
Aerial Map



Subject Area



City Plan Commission
6-23-2021



NOTICE OF INFORMAL PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct an Informal Public Hearing on Wednesday, June 23, 2021, at 3:30 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the following proposed rezoning request:

Proposed Rezoning Request: The owner, Calumet Village Partners, Chris Winter, agent on behalf of the applicant, Andrew Graf, is requesting to rezone Property Tax Id #31-9-1117-00 (Coolidge Court), including the adjacent one-half (1/2) right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District to R-3 Multi-Family District consistent with the City of Appleton 2010-2030 Comprehensive Plan which identifies this parcel as future multi-family land use.

History: In 1985, the Calumet Street Planned Development District #34-84 (now known as PD/C-2 Planned Development General Commercial District #34-84) was approved to allow for the construction of a shopping center complex which included a grocery store, retail, professional, personal, restaurant uses and an 8-unit multi-family apartment building on Property Tax Id#'s 31-9-1114-00, 31-9-1114-01, 31-9-1116-00, 31-9-1117-00 and 31-9-1118-00.

- The 8-unit multi-family apartment building was authorized to be constructed on the parcel of land included in this rezoning request (Property Tax Id #31-9-1117-00). The 8-unit multi-family apartment building was never constructed, and the parcel of land is currently listed for sale.

Reason for the Rezoning Request: The owner/applicant proposes to rezone the subject property from PD/C-2 Planned Development General Commercial District #34-84 to the R-3 Multi-Family District. The existing planned development district standards (PD/C-2 Planned Development General Commercial District #34-84) do not allow for a building footprint with attached garages, patios, balconies and associated outdoor parking of vehicles in driveways leading to the attached garages. The request is being made because the applicant has interest in purchasing and constructing a multi-family apartment building with attached garages, patios, balconies and associated outdoor parking of vehicles in driveways leading to the attached garages utilizing the current Appleton Municipal Code, R-3 Multi-Family District standards.

ALDERMANIC DISTRICT: 5 – Alderperson Katie Van Zeeland

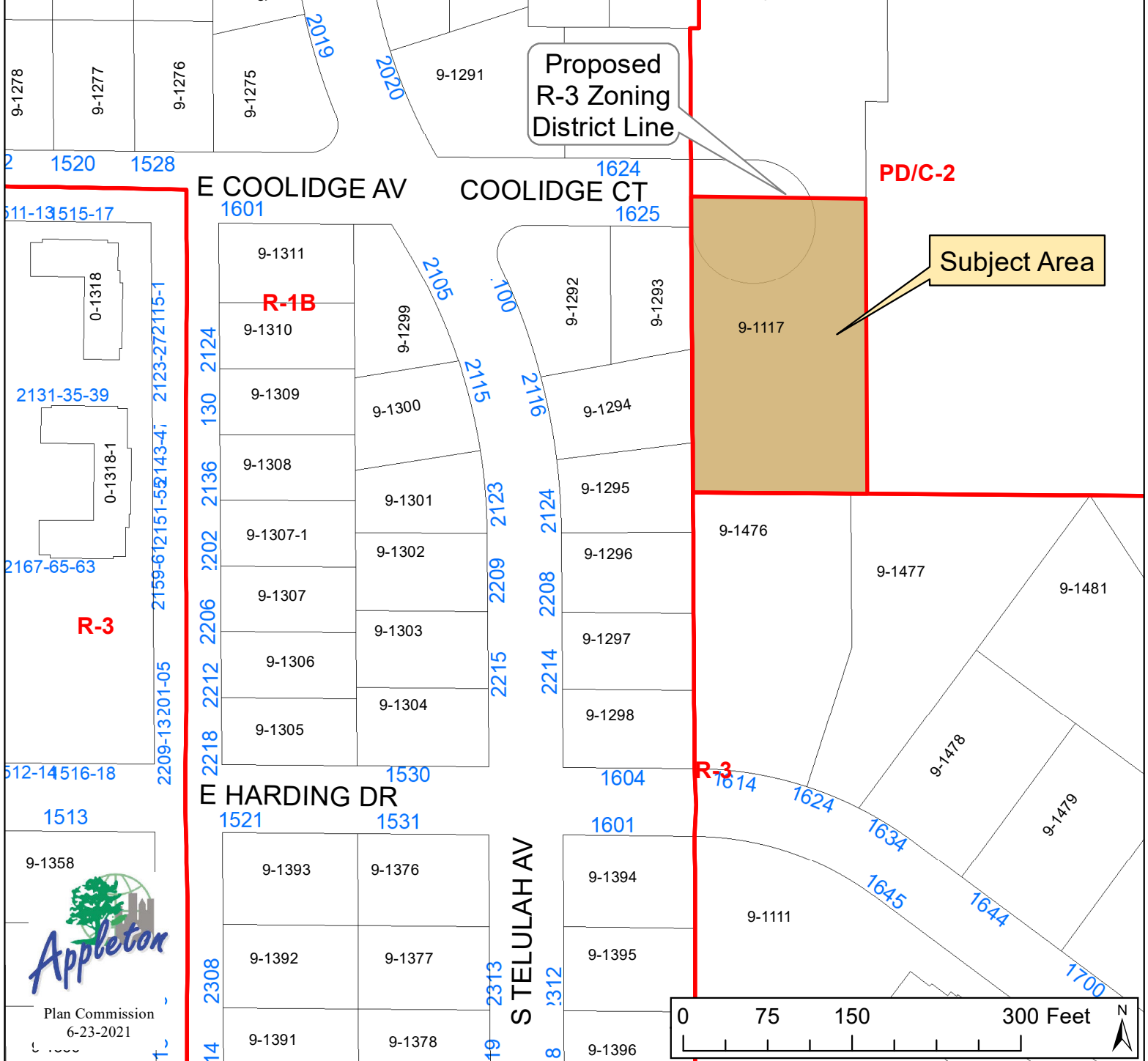
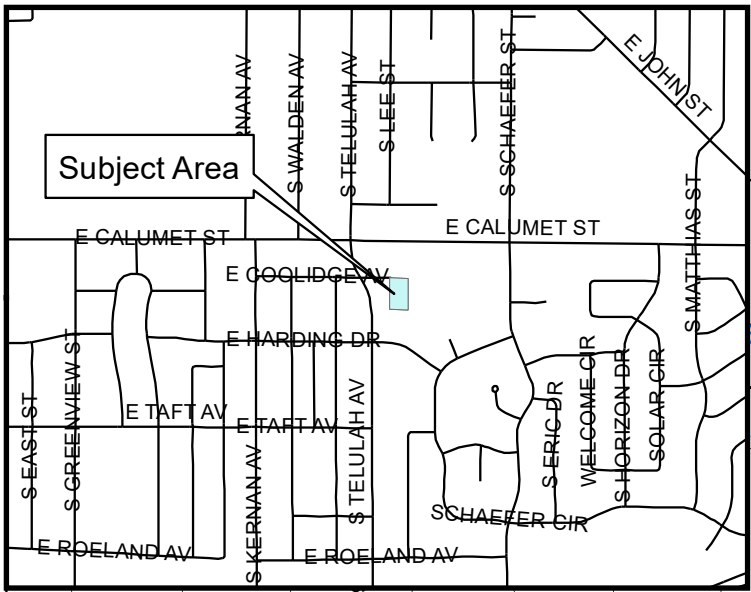
You are being notified as a policy of the City of Appleton Community and Economic Development Department. All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at don.harp@appleton.org.

CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Rezoning
 Tax Id. 31-9-1117-00
 Undeveloped Lot on Coolidge Court
 PD/C-2 Planned Development General
 Commercial District to R-3 Multi-family District
 Zoning Map

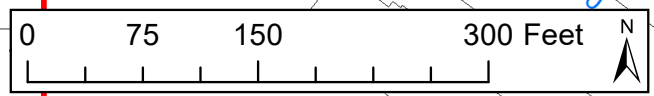


Proposed
 R-3 Zoning
 District Line

Subject Area



Plan Commission
 6-23-2021



Rezoning
Tax Id. 31-9-1117-00
Undeveloped Lot on Coolidge Court
PD/C-2 Planned Development General
Commercial District to R-3 Multi-family District
Aerial Map

E CALUMET ST

E COOLIDGE AV

COOLIDGE CT

Subject Area

S TELULAH AV

E HARDING DR



City Plan Commission
6-23-2021



0 50 100 200 Feet



CITY OF APPLETON
NOTICE OF PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Wednesday, June 23, 2021, at 3:30 P.M., in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Special Use Permit.

Pursuant to Section 23-66 of the Appleton Municipal Code and the Riverheath PD #1-11, Document Number 2078822 and subsequent amendment, to consider a request by Mark Geall, owner, for property located at 141 South Riverheath Way (Tax Id #31-4-0828-08) to obtain a Special Use Permit to allow alcohol sales and consumption on the premises (inside the building and outdoors on the premises).

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared via written letter, email or phone call. Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at (920) 832-6466 or by email at don.harp@appleton.org.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

RUN: June 8, 2021
June 15, 2021

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City Plan Commission will conduct a Public Hearing on Wednesday, June 23, 2021, at 3:30 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the purpose of considering the following proposed Special Use Permit:

- Pursuant to Section 23-66 of the Appleton Municipal Code and the Riverheath PD #1-11, Document Number 2078822 and subsequent amendment, to consider a request by Mark Geall, owner, for property located at 141 South Riverheath Way (Tax Id #31-4-0828-08) to obtain a Special Use Permit to allow alcohol sales and consumption on the premises (inside the building and outdoors on the premises).

- ALDERMANIC DISTRICT: 4 – Alderperson Joe Martin

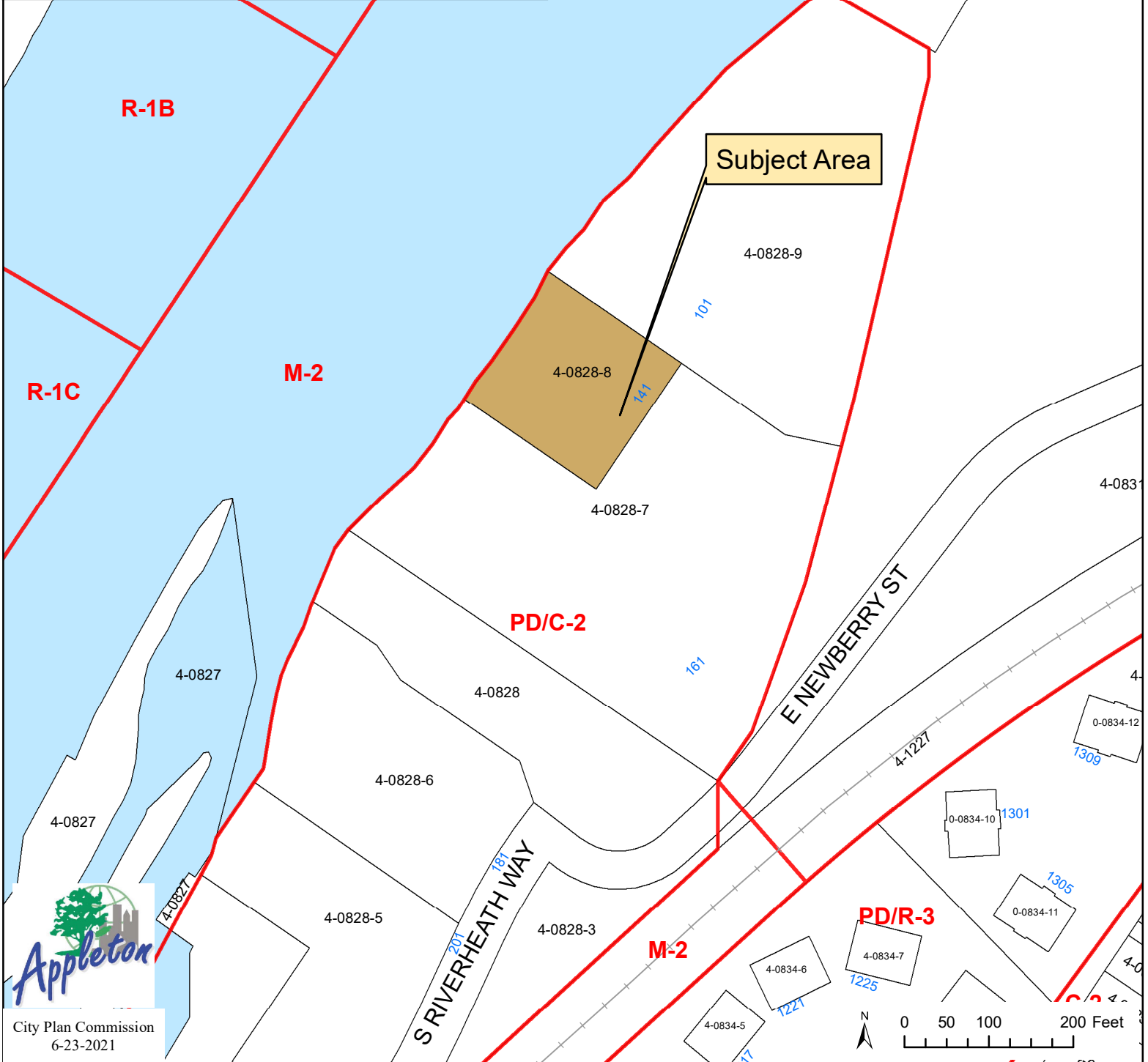
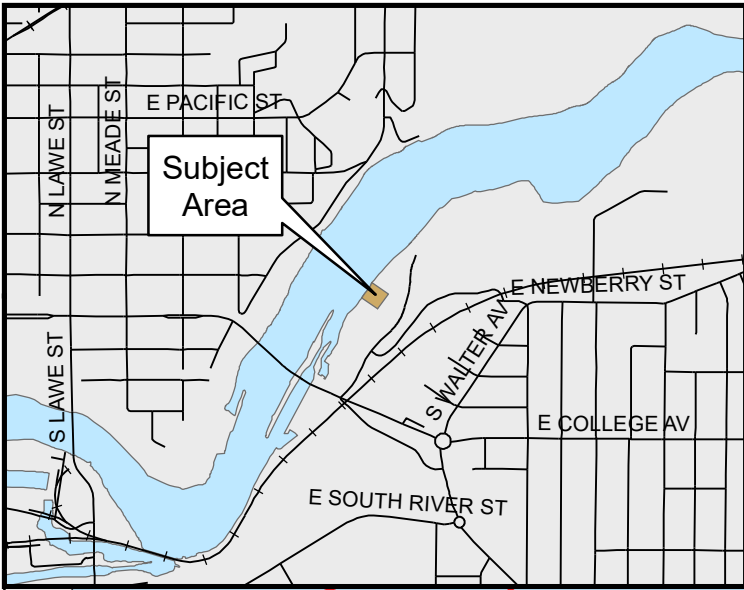
All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Plan Commission members via written letter, email, or phone call. Any questions regarding this matter should be directed to Don Harp, Principal Planner, in the Community and Economic Development Department at 920-832-6466 or by email at don.harp@appleton.org.

CITY PLAN COMMISSION

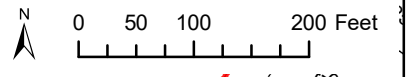
COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Special Use Permit
Alcohol Sales and Consumption
Poplar Hall
141 S Riverheath Way
Zoning Map



City Plan Commission
6-23-2021



Special Use Permit
Alcohol Sales and Consumption
Poplar Hall
141 S Riverheath Way
Aerial Map

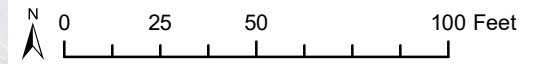
Subject Area

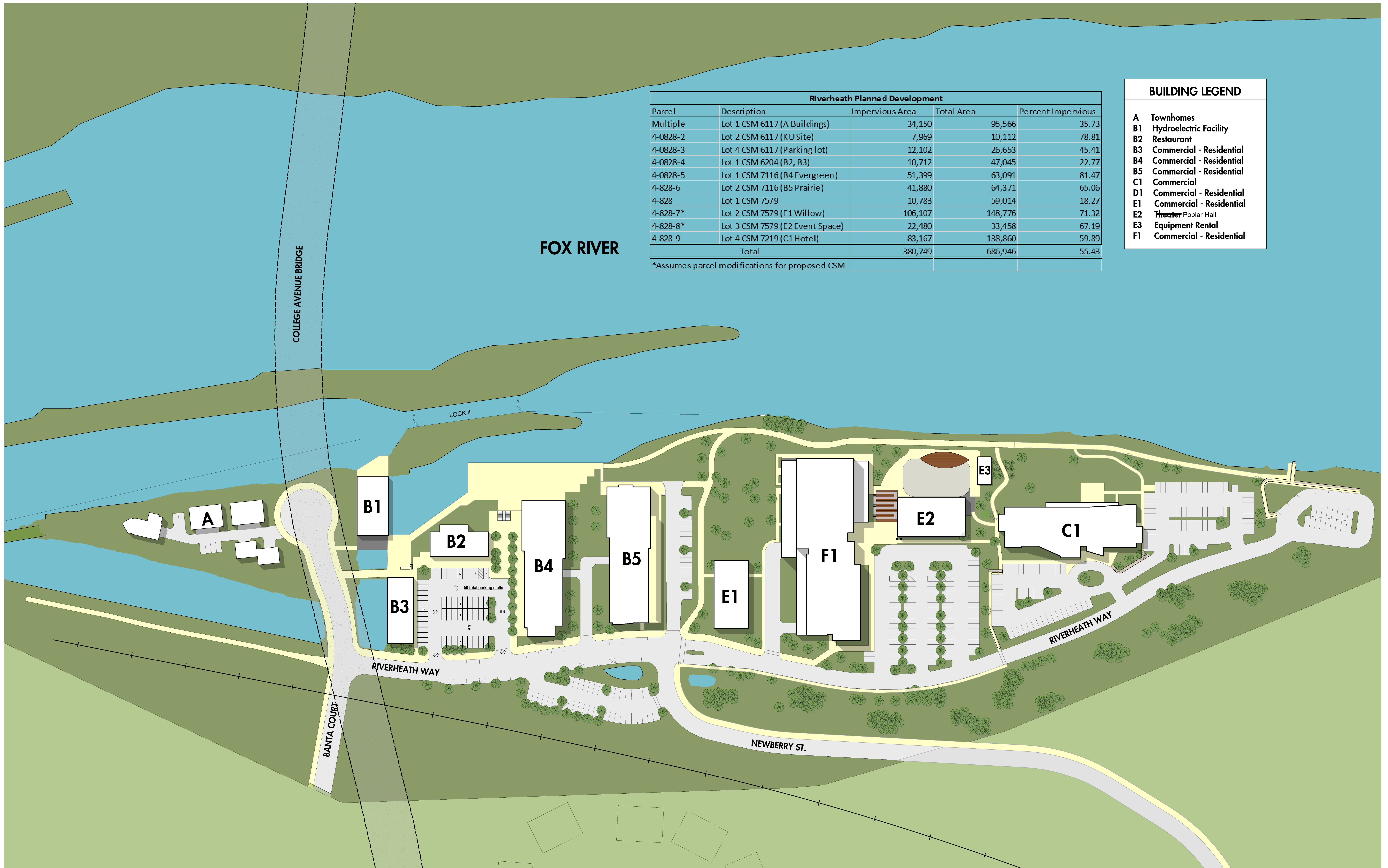
4-0828-8

747

107

4-0828-7



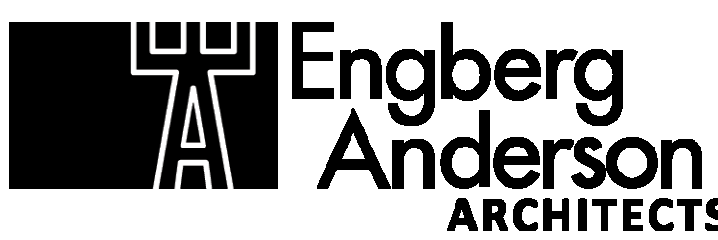


Riverheath Planned Development				
Parcel	Description	Impervious Area	Total Area	Percent Impervious
Multiple	Lot 1 CSM 6117 (A Buildings)	34,150	95,566	35.73
4-0828-2	Lot 2 CSM 6117 (KU Site)	7,969	10,112	78.81
4-0828-3	Lot 4 CSM 6117 (Parking lot)	12,102	26,653	45.41
4-0828-4	Lot 1 CSM 6204 (B2, B3)	10,712	47,045	22.77
4-0828-5	Lot 1 CSM 7116 (B4 Evergreen)	51,399	63,091	81.47
4-828-6	Lot 2 CSM 7116 (B5 Prairie)	41,880	64,371	65.06
4-828	Lot 1 CSM 7579	10,783	59,014	18.27
4-828-7*	Lot 2 CSM 7579 (F1 Willow)	106,107	148,776	71.32
4-828-8*	Lot 3 CSM 7579 (E2 Event Space)	22,480	33,458	67.19
4-828-9	Lot 4 CSM 7219 (C1 Hotel)	83,167	138,860	59.89
Total		380,749	686,946	55.43

*Assumes parcel modifications for proposed CSM

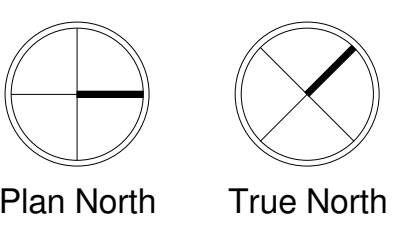
BUILDING LEGEND	
A	Townhomes
B1	Hydroelectric Facility
B2	Restaurant
B3	Commercial - Residential
B4	Commercial - Residential
B5	Commercial - Residential
C1	Commercial
D1	Commercial - Residential
E1	Commercial - Residential
E2	Theater Poplar Hall
E3	Equipment Rental
F1	Commercial - Residential

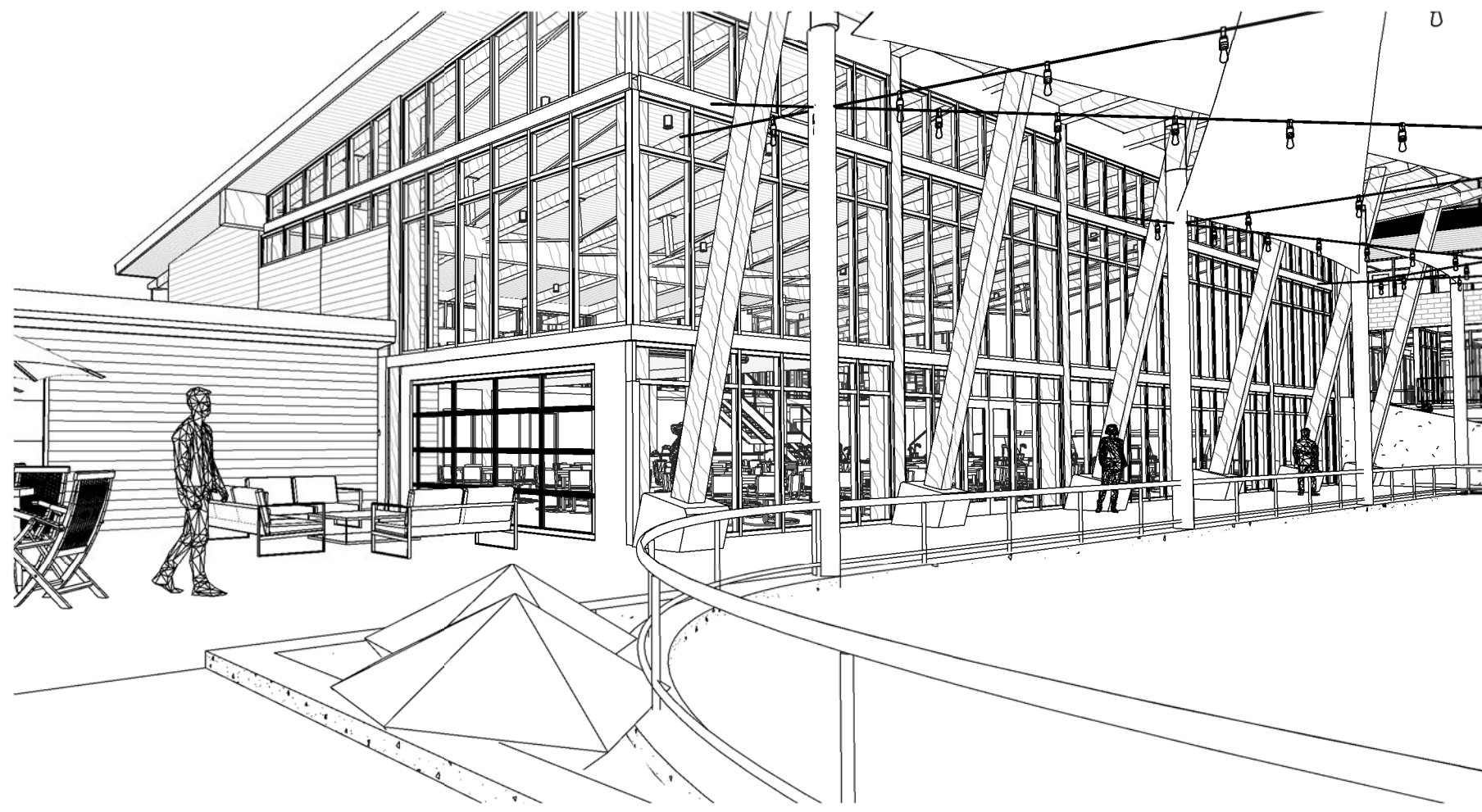
RIVERHEATH - APPLETON WISCONSIN



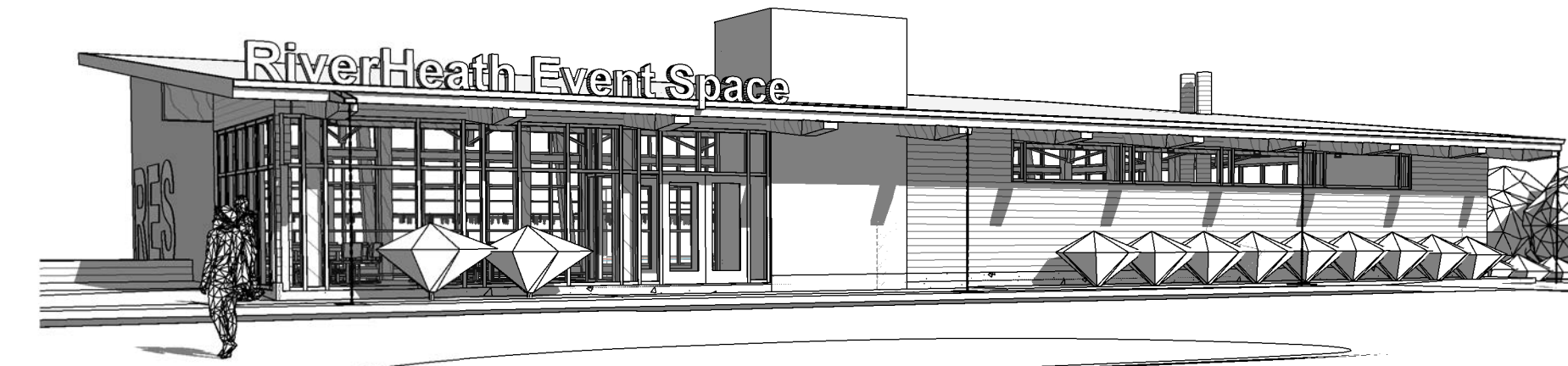
MASTER PLAN
SCALE: 1" = 60'-0"

Engberg Anderson Project No. 071711

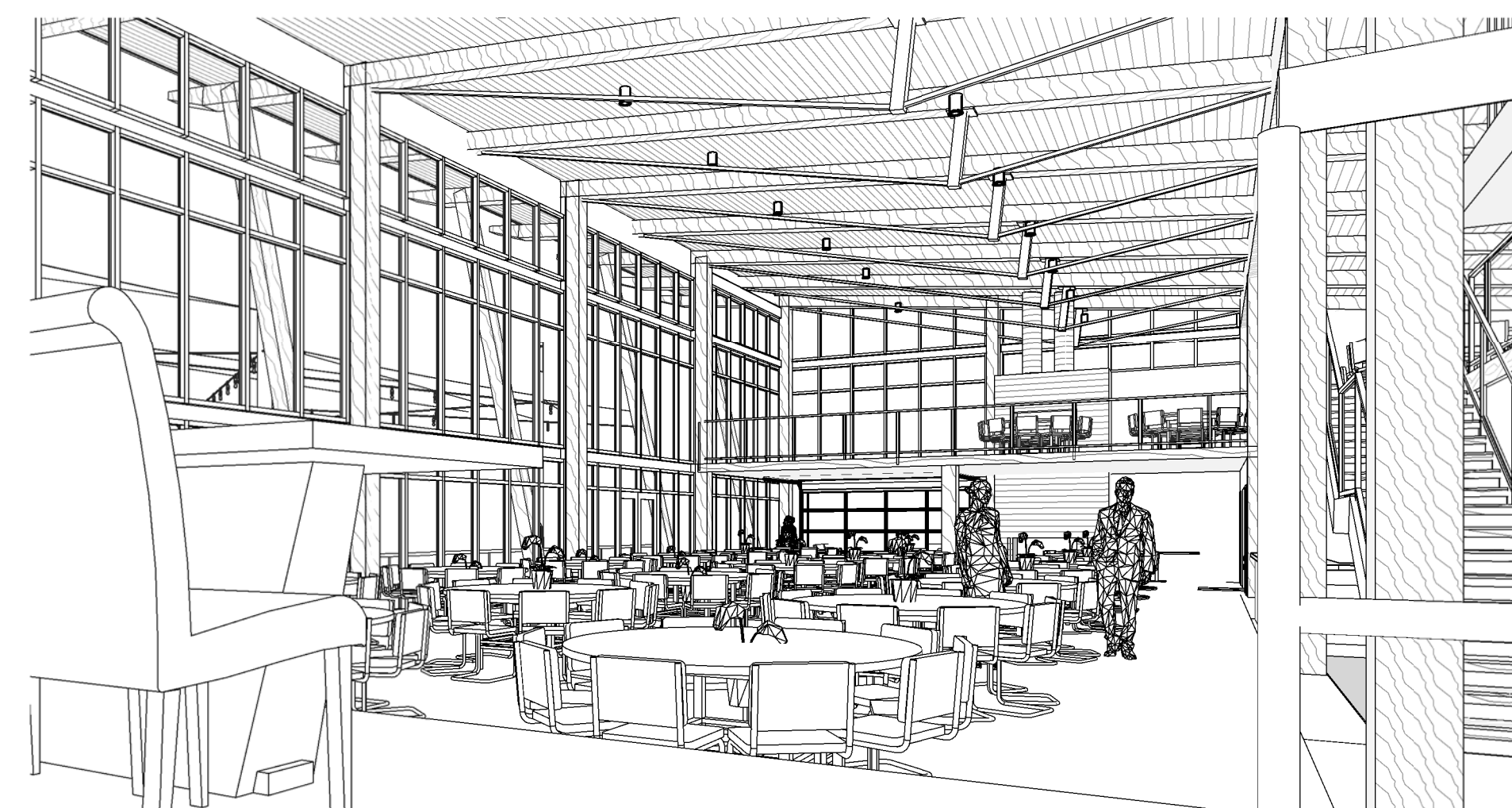




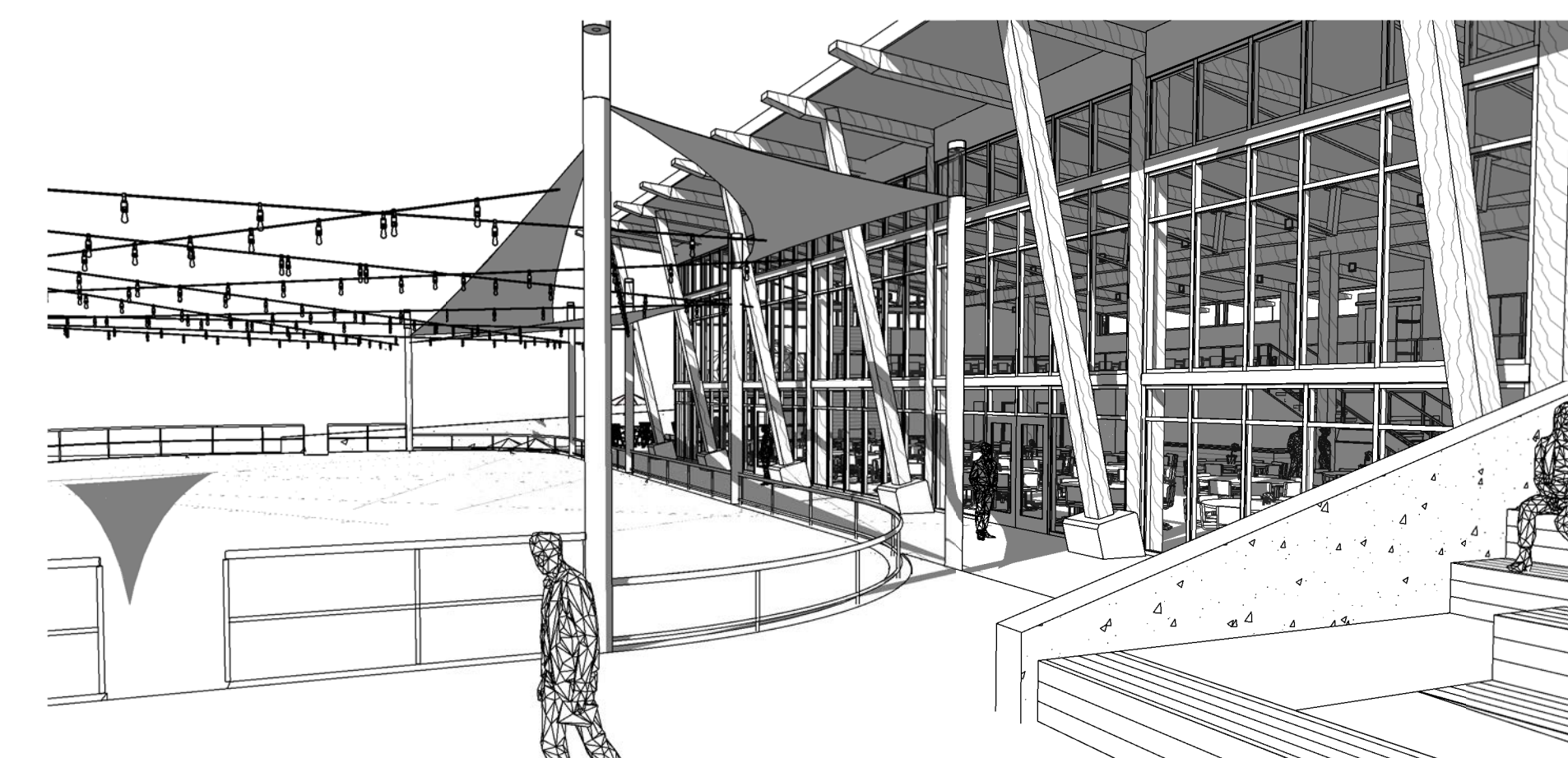
3 RES - PERSPECTIVE 01
SCALE:



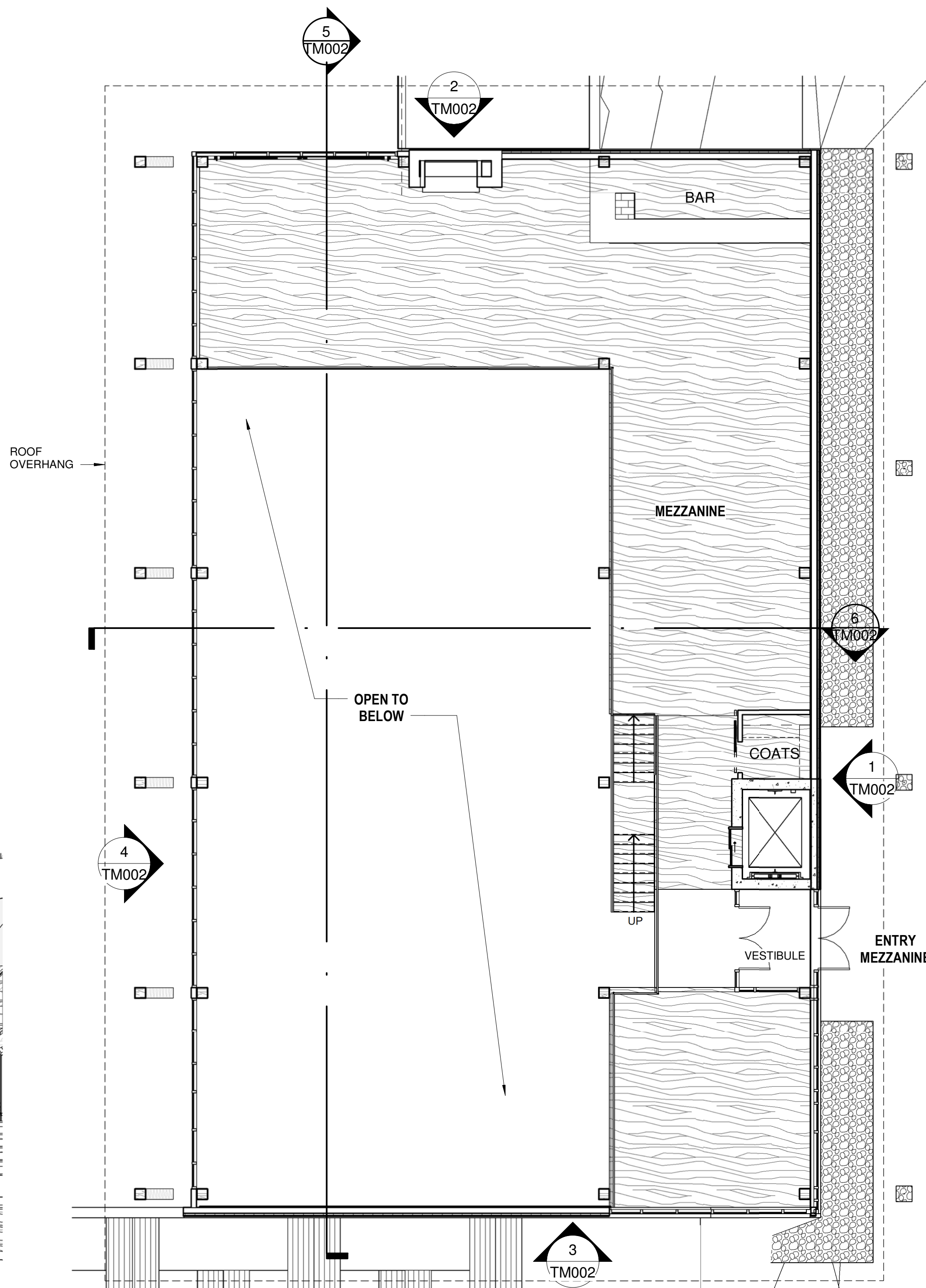
4 RES - PERSPECTIVE 02
SCALE:



5 RES - PERSPECTIVE 03
SCALE:



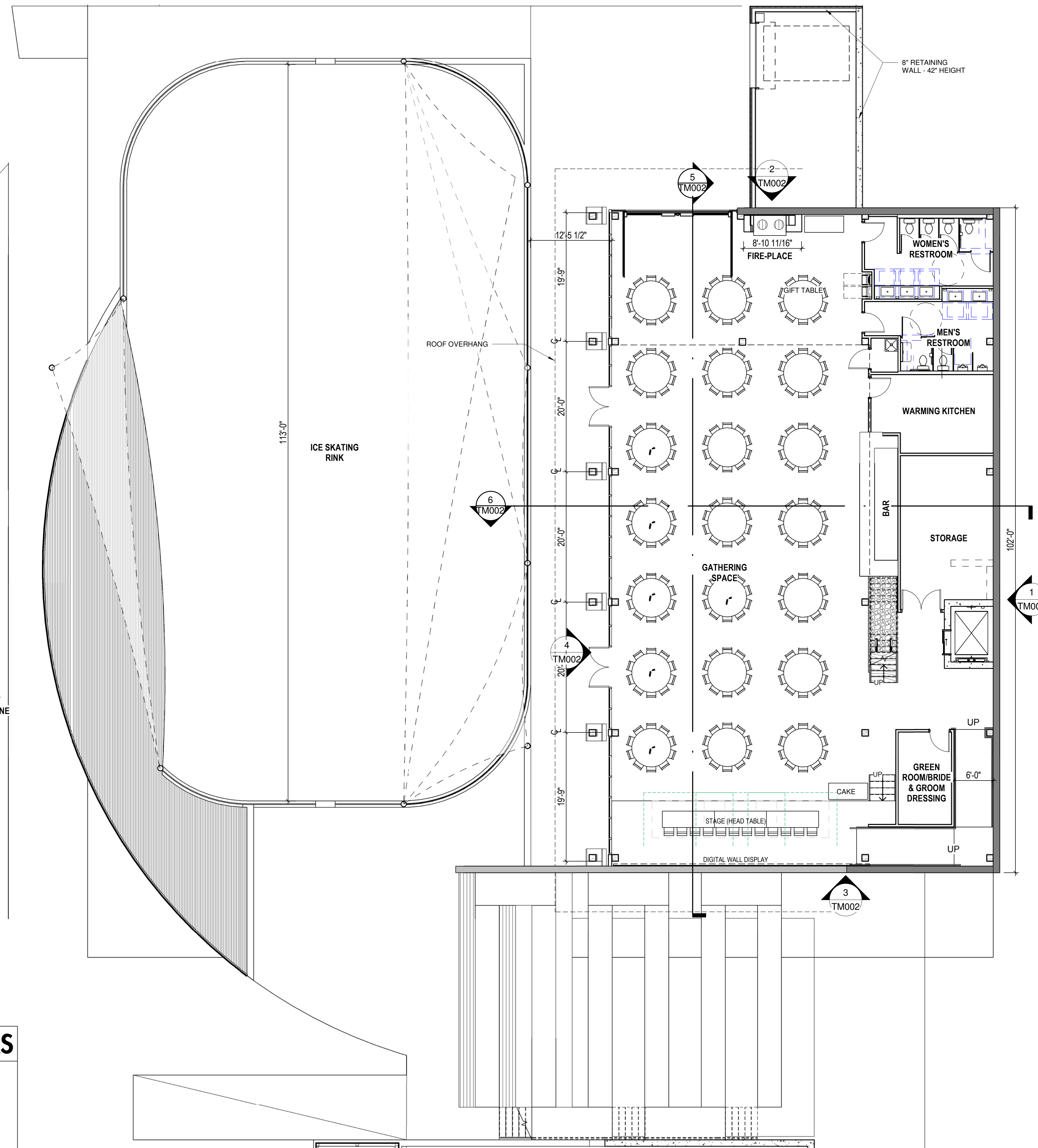
6 RES - PERSPECTIVE 04
SCALE:



2 RIVERHEATH EVENT CENTER - MEZZANINE
SCALE: 1/8" = 1'-0"

RIVERHEATH EVENT CENTER - BUILDING AREAS

MAIN LEVEL	6,000 SF
MEZZANINE	2,400 SF
TOTAL BUILDING	8,400 SF
SIT DOWN CAPACITY	
MAIN LEVEL	200
MEZZANINE	50

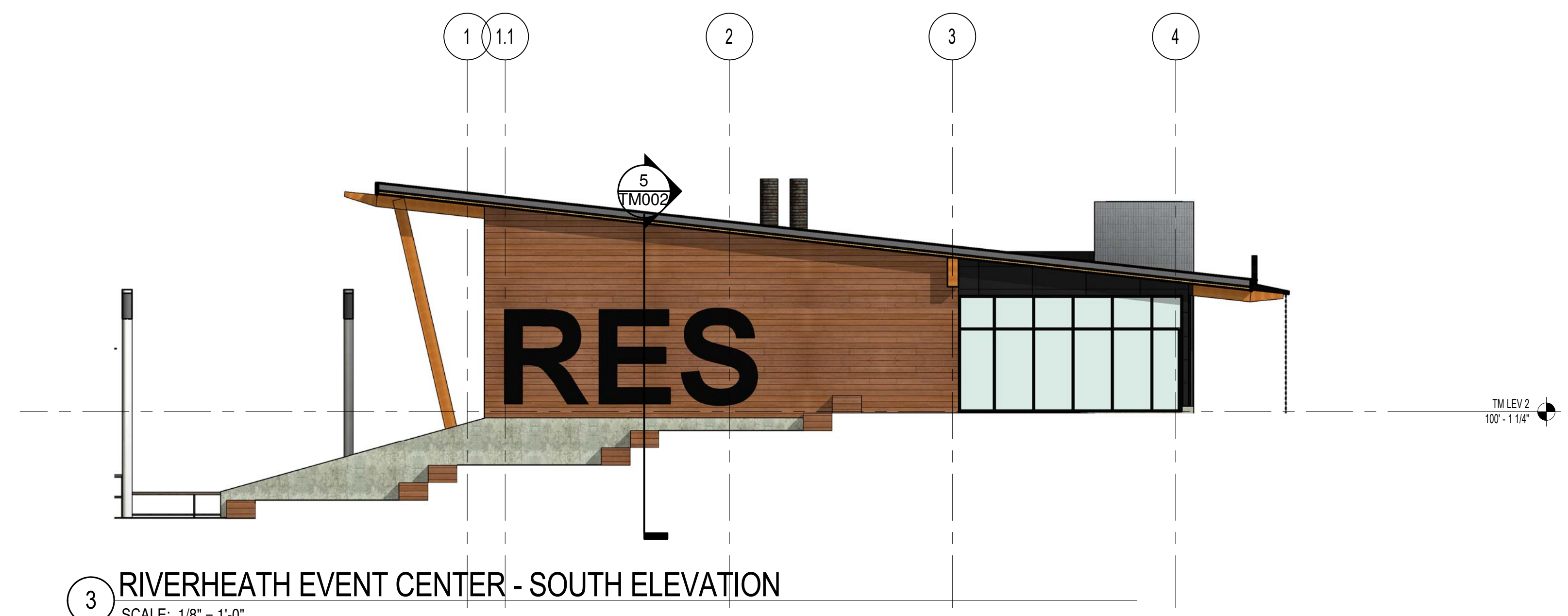


1 RIVERHEATH EVENT CENTER - FIRST FLOOR
SCALE: 1/8" = 1'-0"

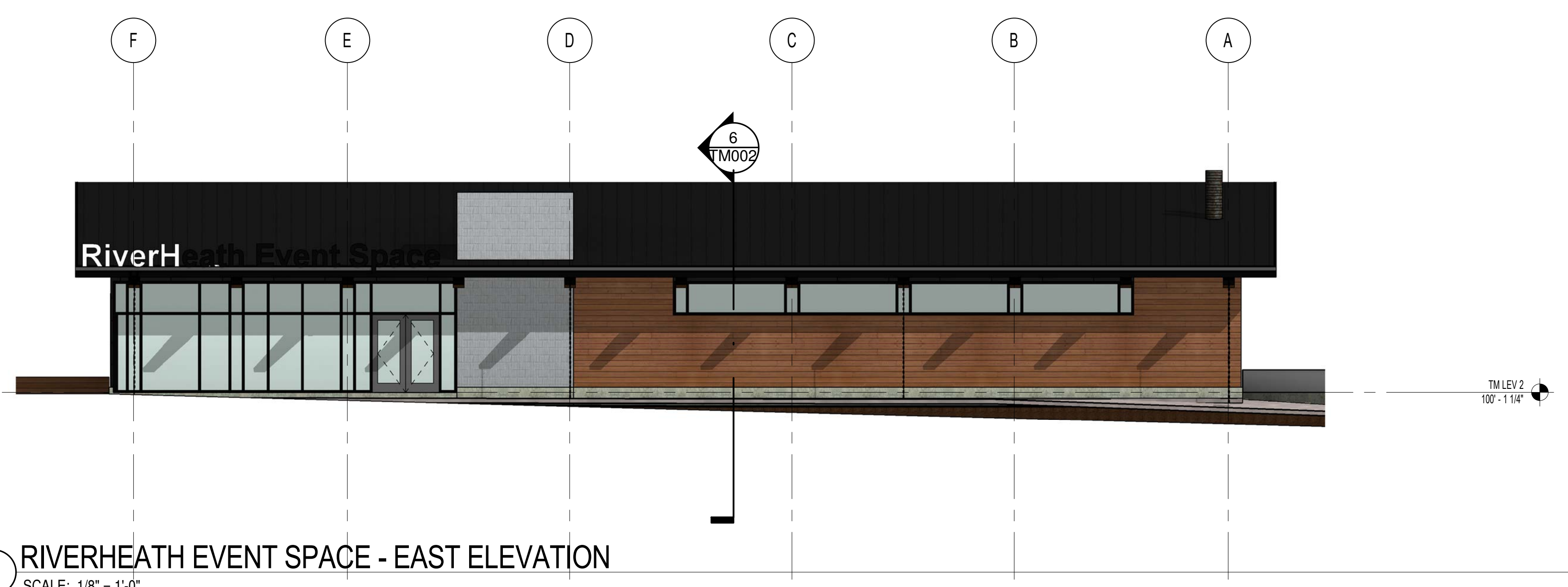
RIVERHEATH EVENT SPACE



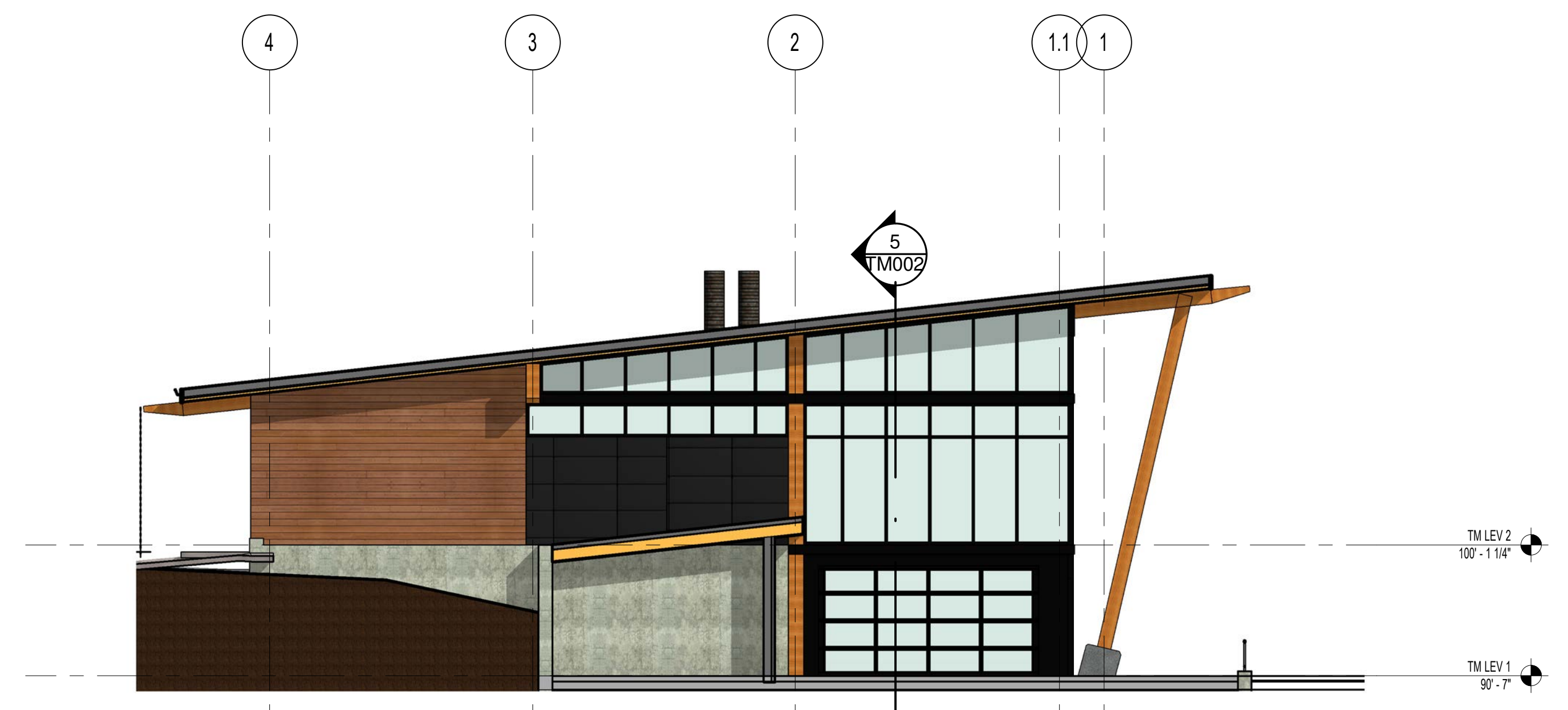
FLOOR PLANS & 3D VIEWS
SCALE: As indicated



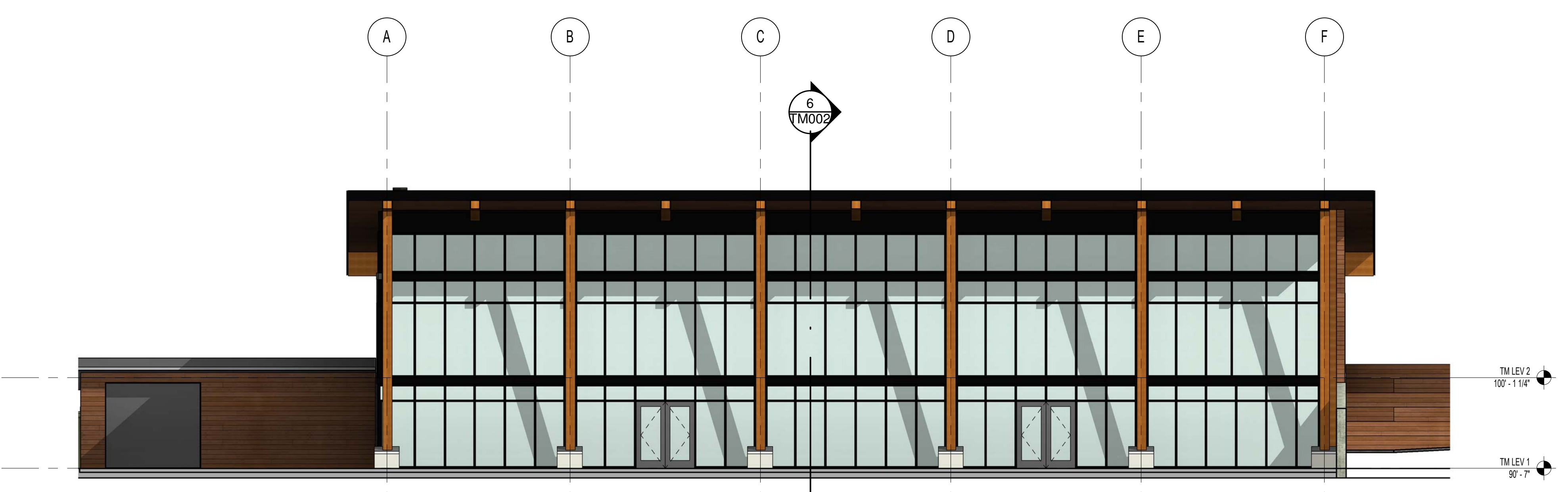
3 RIVERHEATH EVENT CENTER - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



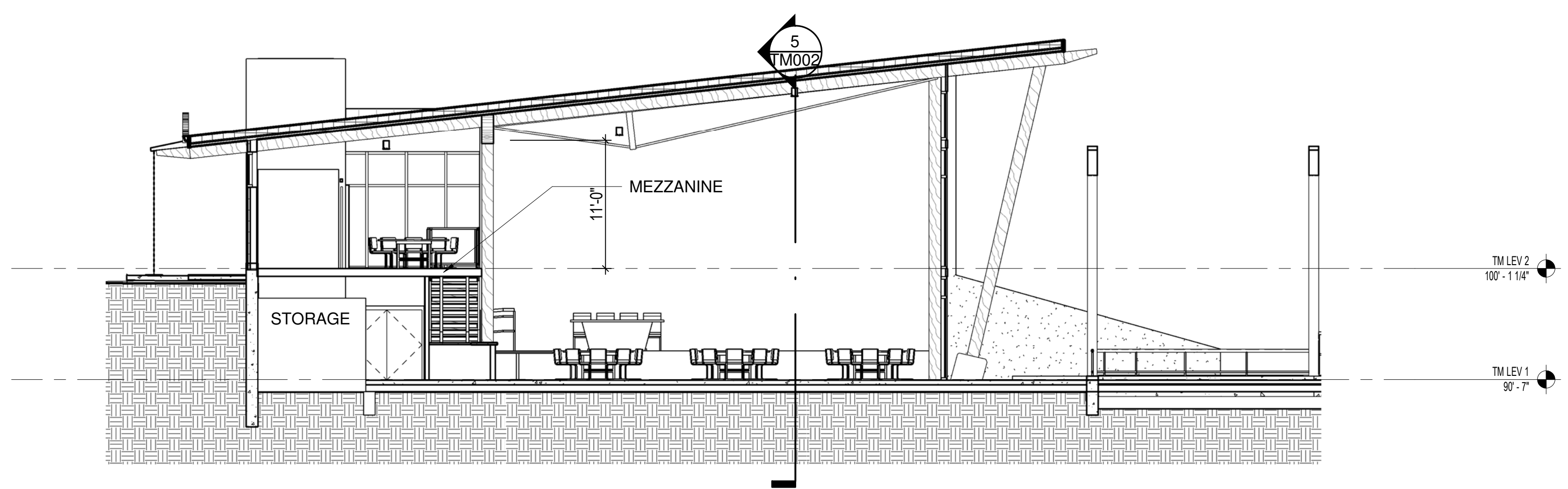
1 RIVERHEATH EVENT SPACE - EAST ELEVATION
SCALE: 1/8" = 1'-0"



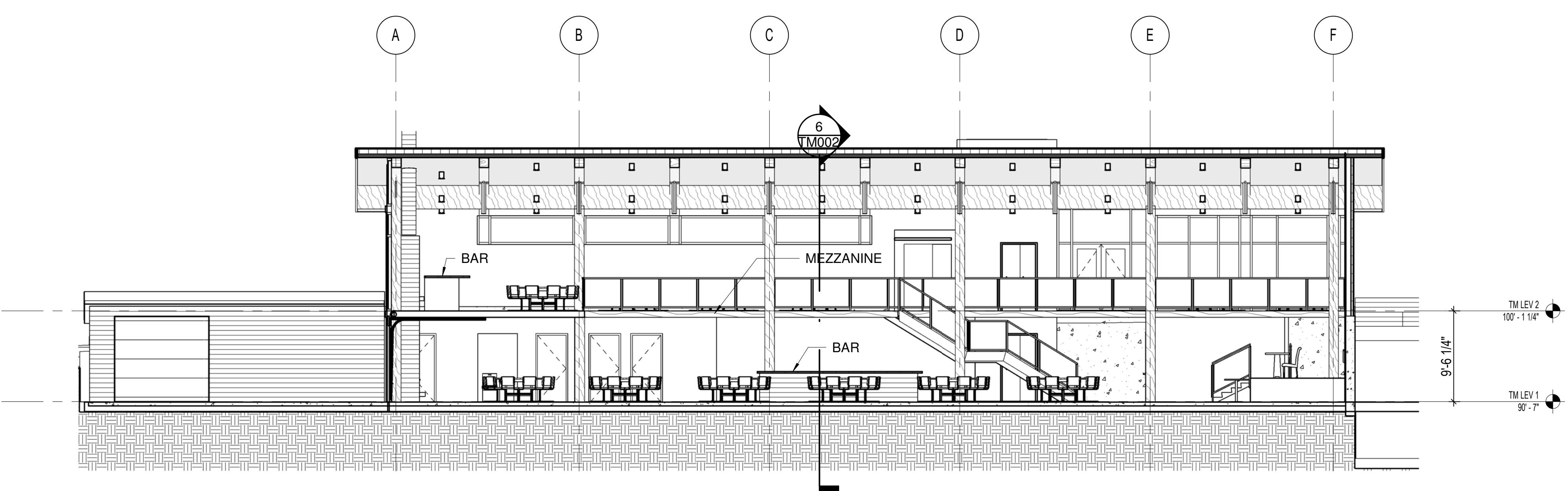
2 RIVERHEATH EVENT SPACE - NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 RIVERHEATH EVENT SPACE - WEST ELEVATION
SCALE: 1/8" = 1'-0"

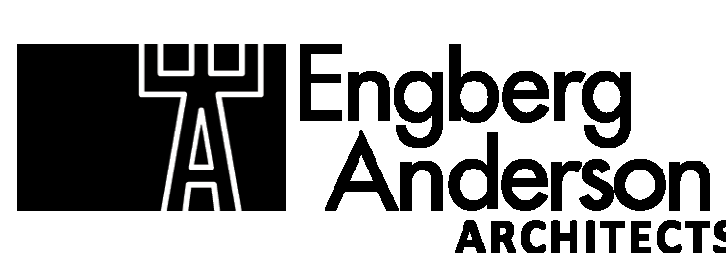


6 RIVERHEATH EVENT SPACE - SECTION B
SCALE: 1/8" = 1'-0"



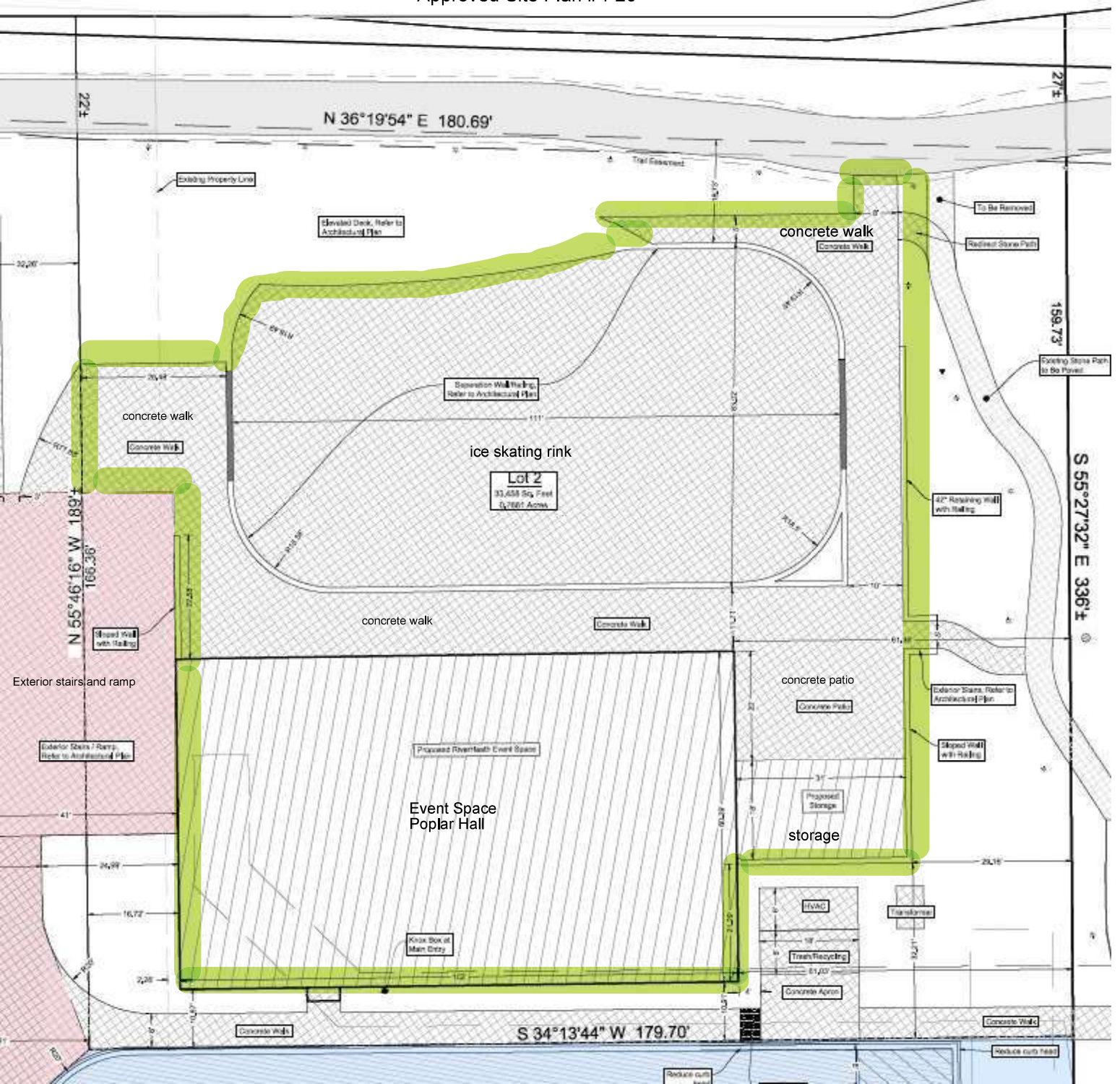
5 RIVERHEATH EVENT SPACE -SECTION A
SCALE: 1/8" = 1'-0"

RIVERHEATH EVENT SPACE



SECTIONS & ELEVATIONS
SCALE: 1/8" = 1'-0"

Approved Site Plan #4-20





REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: June 23, 2021

Common Council Public Hearing Meeting Date: August 4, 2021
(Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-21 and Rezoning #7-21

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: Core, LLC c/o David Allen

Address/Parcel: Generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00)

Petitioner's Request: The applicant is requesting to amend the City's *Comprehensive Plan 2010-2030* Future Land Use Map from the One and Two-Family Residential designation to the Mixed Use designation for parcel #31-5-1232-00. In conjunction with this request, the applicant is proposing to rezone all four subject parcels from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District. The requests are being made to establish a uniform Future Land Use Map designation and zoning classification for the subject property, and in doing so, allow for future redevelopment.

BACKGROUND

On March 15, 2017, the Common Council approved/adopted the 5-year update to the *Comprehensive Plan 2010-2030* and Future Land Use Map. This plan establishes a vision for future land use, physical development, and quality of life in the City and provides a comprehensive set of goals, policies, and initiatives to achieve that vision. The *Comprehensive Plan* document and the accompanying Future Land Use Map also serve as a guide for future growth and development in the City. Periodically, development proposals or changing circumstances within the City may trigger consideration of an amendment to the *Comprehensive Plan 2010-2030*. That is the case for this request.

Before being purchased by Core, LLC in 2020, the subject property was owned by the Veterans of Foreign Wars (VFW) Post 2778. Three of the four subject parcels are paved and were previously used as parking for the former VFW restaurant and dance hall.

In conjunction with the *Comprehensive Plan* amendment and rezoning requests, a Certified Survey Map (CSM) was submitted to combine the four subject parcels into one lot. CSMs are administratively reviewed and approved by City staff. However, per Section 23-40(b) of the Municipal Code, there shall not be more than one zoning district on any parcel of land. Therefore, uniform zoning is needed before the commonly-owned parcels can be combined.

STAFF ANALYSIS

Procedural Findings: When *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning applications are required for the same development project, the respective staff reports are consolidated together as one.

Existing Site Conditions: Parcels #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00 consist of paved areas that were previously used as parking lots. Parcel #31-5-1232-00 is currently developed with a two-family dwelling (duplex) and detached garage. Combined, the subject land area totals approximately 43,418 square feet. The property has frontage along West Packard Street, North Richmond Street, and West Harris Street. On the City's Arterial/Collector Plan, Packard Street is classified as a collector street, Richmond Street is classified as an arterial street, and Harris Street is classified as a local street.

Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:

North: Zoning – C-2 General Commercial District.
Future Land Use Designation – Mixed Use.
Current Land Use – Various commercial uses, including the former VFW restaurant and dance hall building and Community First Credit Union.

South: Zoning – R-3 Multi-Family District and R-1C Central City Residential District.
Future Land Use Designation – Mixed Use.
Current Land Use – Vacant, undeveloped land and single-family residential.

East: Zoning – PD/C-2 Planned Development General Commercial District #11-01.
Future Land Use Designation – Mixed Use.
Current Land Use – Mixed-use building (Richmond Terrace) with commercial and multi-family residential.

West: Zoning – R-2 Two-Family District and R-1C Central City Residential District.
Future Land Use Designation – One and Two-Family Residential.
Current Land Use – Mix of two-family and single-family residential.

Proposed Future Land Use Designation: Amendments to the *Comprehensive Plan* are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a specific development proposal for the subject land area is necessitating the change to Mixed Use designation. Three of the subject parcels (#31-5-1234-00, #31-5-1236-00, and #31-5-1238-00) are already shown as Mixed Use designation on the Future Land Use Map, so the proposed amendment would represent an expansion of the Mixed Use designation and establish a uniform designation for the development area.

Comprehensive Plan 2010-2030 Goals and Objectives: The *Comprehensive Plan 2010-2030* and Future Land Use Map are intended to guide City growth and development in an organized, efficient manner. The Plan addresses a range of topics related to land use, housing and neighborhoods, economic development, transportation, utilities and community facilities, and more. Evaluating the proposed amendment for consistency with relevant goals, objectives, and policies is necessary in determining if

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 & Rezoning #7-21

June 23, 2021

Page 3

changes to the Future Land Use Map are appropriate. The proposed amendment appears to be consistent with the following excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

Goal 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

Goal 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Policy 5.3.2 Identify preferred locations and encourage urban infill and redevelopment to meet the needs of retirees and Generation X and Millennial buyers or renters, such as redevelopment sites on the north side of downtown.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Chapter 16: Richmond Street Corridor Plan, Redevelopment Opportunities:

In the southern portion of the corridor, a large area has been identified in which redevelopment may occur. This includes approximately three blocks on Richmond Street. Market demand, traffic volume, parcel size, and current under-utilization of the space suggests that these properties are among the most likely to redevelop.

Proposed Zoning Classification: The purpose of the C-1 Neighborhood Mixed Use District is to provide for mixed use areas, including a range of commercial and denser residential uses. Development is intended to be pedestrian-oriented, with businesses and services that are part of the fabric of the neighborhood and allow residents to meet daily needs on foot, bicycle, and public transit. Development standards provide added flexibility to encourage redevelopment along commercial corridors, without

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 & Rezoning #7-21

June 23, 2021

Page 4

being detrimental to established residential neighborhoods. Per Section 23-112(h) of the Municipal Code, the development standards for the C-1 District are listed below:

- 1) **Minimum lot area:** 6,000 square feet.
- 2) **Maximum lot coverage:** 90%.
- 3) **Minimum lot width:** 40 feet.
- 4) **Minimum front yard:** None.
- 5) **Minimum rear yard:** 20 feet.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet if abutting a residentially zoned district.
- 7) **Maximum building height:** 60 feet.

Zoning Ordinance Review Criteria: A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the request is being made to establish uniform zoning, allow for combining of lots via CSM, and accommodate future development. If the rezoning request is approved, any future development would need to conform to the C-1 Neighborhood Mixed Use District zoning regulations listed above and other applicable sections of the Zoning Ordinance. Ultimately, Site Plan review and approval would be required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

When rezoning parcels prior to a redevelopment project, the sequence of steps can be somewhat complex. Sometimes steps need to occur after the rezoning in order to achieve conformity. For example, parcel #31-5-1238-00 on its own does not meet the minimum lot area requirement for the C-1 District, but if the four lots are combined via CSM, the new lot would comply with applicable lot area and lot width standards (based on initial CSM review). Also, a duplex and parking lot are not permitted as standalone uses in the C-1 District, but a change of use is anticipated if the rezoning request is approved.

Per Section 23-112(i) of the Municipal Code, the C-1 District shall be utilized in areas identified with a future Mixed Use designation on the Comprehensive Plan Future Land Use Map. Three of the subject parcels are already shown as Mixed Use designation on the Future Land Use Map, and the requested amendment would change parcel #31-5-1232-00 to Mixed Use designation as well.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The Future Land Use Map already identifies parcels #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00 for future mixed uses. If Future Land Use Map Amendment #2-21 is*

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 & Rezoning #7-21

June 23, 2021

Page 5

approved, to identify this entire area for future mixed uses, the rezoning request will be in conformance with the Comprehensive Plan 2010-2030.

2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Commercial zoning already exists on two of the subject parcels. A mix of commercial and/or multi-family residential uses are already located north and east of the subject site, including the Richmond Terrace building directly across the street. C-1 District development standards, such as setbacks, and perimeter parking lot landscape buffers would be reviewed in accordance with Zoning Ordinance requirements at the time of Site Plan review. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied, provided Comprehensive Plan Future Land Use Map Amendment #2-21 is approved.

Technical Review Group (TRG) Report: These items appeared on the June 1, 2021 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-21 for specified property (Tax Id #31-5-1232-00) from One and Two-Family Residential designation to Mixed Use designation and resolution, **BE APPROVED**; and

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #7-21 to rezone the subject parcels located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00,

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 & Rezoning #7-21

June 23, 2021

Page 6

#31-5-1236-00, and #31-5-1238-00) from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District, including to the centerline of the adjacent West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street right-of-way, as shown on the attached map, **BE APPROVED**.

NOTE: If approved, Rezoning #7-21 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #2-21 to accurately reflect the change in future land use from One and Two-Family Residential designation to Mixed Use designation.

**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on June 23, 2021, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #2-21) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on June 23, 2021; and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution:

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property (Tax Id #31-5-1232-00) on the Future Land Use Map from One and Two-Family Residential Use to Mixed Use.

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

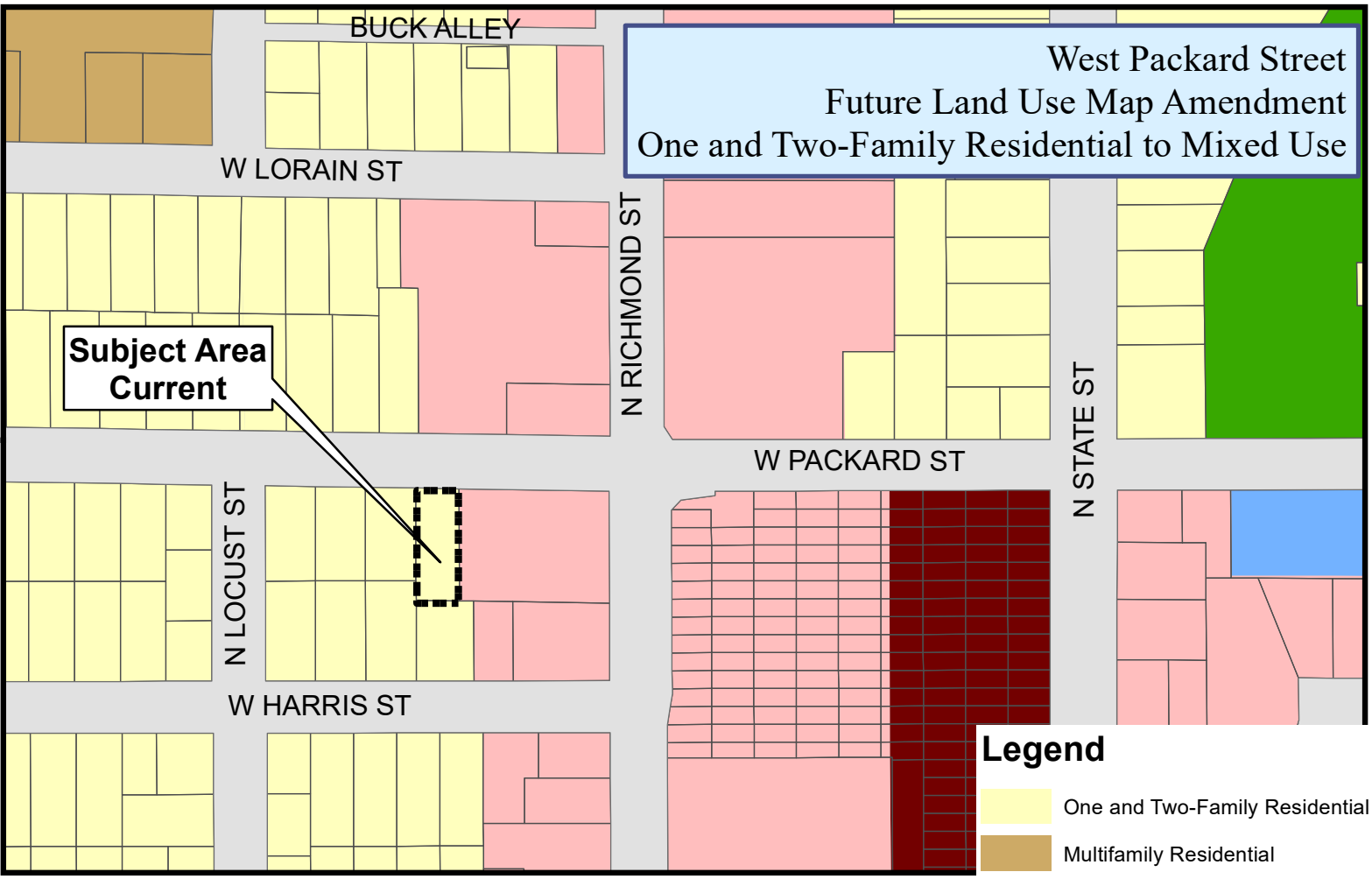
Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor

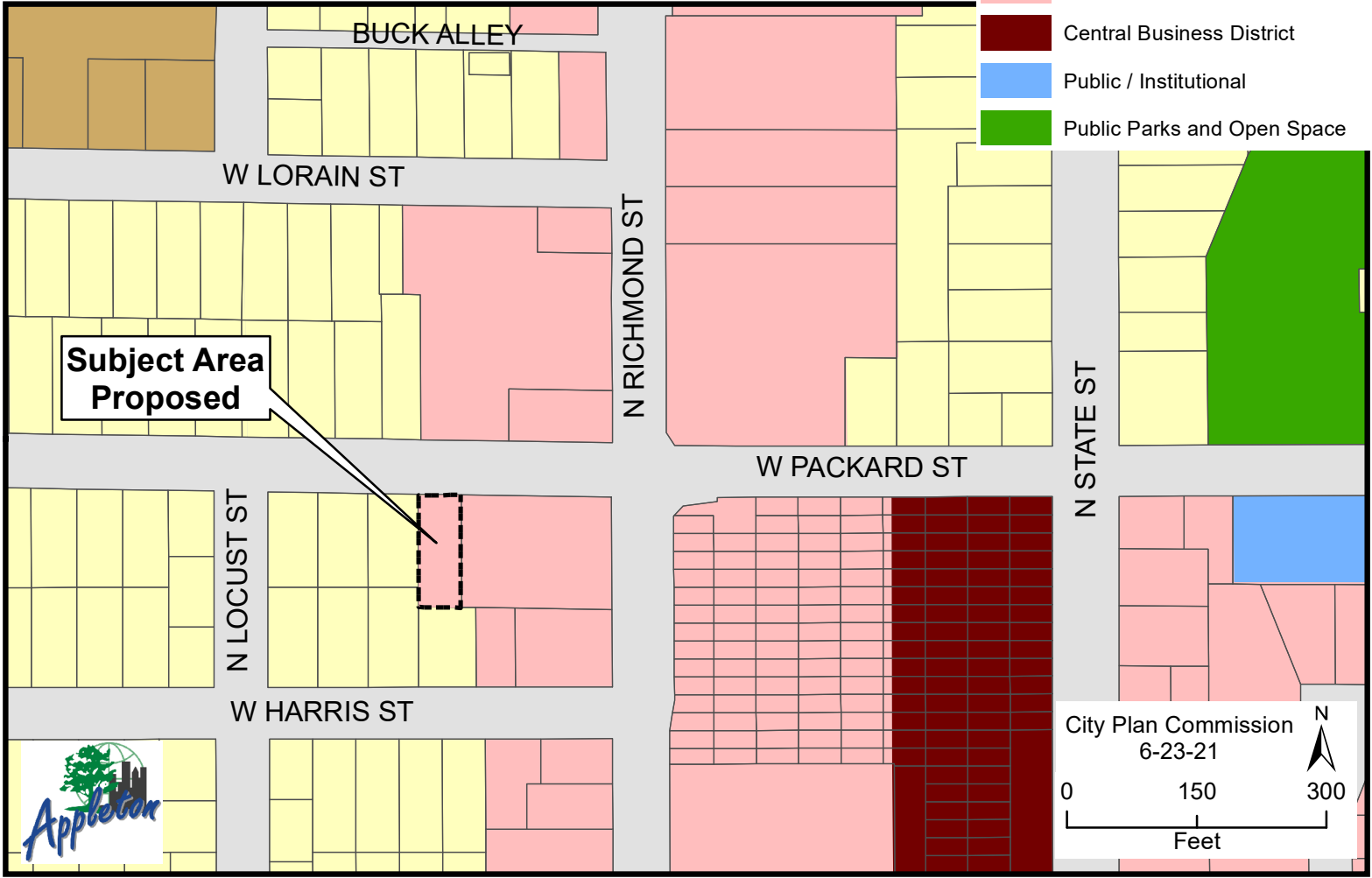
ATTEST:

Kami Lynch, City Clerk

West Packard Street
 Future Land Use Map Amendment
 One and Two-Family Residential to Mixed Use



- Legend**
- One and Two-Family Residential
 - Multifamily Residential
 - Mixed-Use
 - Central Business District
 - Public / Institutional
 - Public Parks and Open Space



City Plan Commission
 6-23-21

0 150 300
 Feet

N



Comprehensive Plan Future Land Use Map Amendment from One and Two-Family Residential designation to Mixed Use designation.

Legal Description – W. Packard Street

Tax Id: 31-5-1232-00

Lot 1, Block 37, Fifth Ward Plat, City of Appleton, Outagamie County, Wisconsin. Including the adjacent one-half (1/2) right-of-way of West Packard Street.

North Richmond Street & West Packard Street Rezoning
 C-2 General Commercial District, R-2 Two-Family District, and
 R-1C Central City Residential District to C-1 Neighborhood Mixed Use District
 Aerial Map



Subject Area



City Plan Commission
 6-23-2021



LEGAL DESCRIPTION

PARCELS: 31-5-1232-00, 31-5-1234-00, 31-5-1236-00, and 31-5-1238-00

Description of lands to be rezoned from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District:

All of Lots 1, 2, 3, 4 and 5 and the East 45.5 feet of Lot 6, Block 37, Fifth Ward Plat, City of Appleton, Outagamie County, Wisconsin. Including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street.



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: June 23, 2021

Common Council Public Hearing Meeting Date: August 4, 2021
(Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-21 and Rezoning #7-21

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner/Applicant: Core, LLC c/o David Allen

Address/Parcel: Generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00)

Petitioner's Request: The applicant is requesting to amend the City's *Comprehensive Plan 2010-2030* Future Land Use Map from the One and Two-Family Residential designation to the Mixed Use designation for parcel #31-5-1232-00. In conjunction with this request, the applicant is proposing to rezone all four subject parcels from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District. The requests are being made to establish a uniform Future Land Use Map designation and zoning classification for the subject property, and in doing so, allow for future redevelopment.

BACKGROUND

On March 15, 2017, the Common Council approved/adopted the 5-year update to the *Comprehensive Plan 2010-2030* and Future Land Use Map. This plan establishes a vision for future land use, physical development, and quality of life in the City and provides a comprehensive set of goals, policies, and initiatives to achieve that vision. The *Comprehensive Plan* document and the accompanying Future Land Use Map also serve as a guide for future growth and development in the City. Periodically, development proposals or changing circumstances within the City may trigger consideration of an amendment to the *Comprehensive Plan 2010-2030*. That is the case for this request.

Before being purchased by Core, LLC in 2020, the subject property was owned by the Veterans of Foreign Wars (VFW) Post 2778. Three of the four subject parcels are paved and were previously used as parking for the former VFW restaurant and dance hall.

In conjunction with the *Comprehensive Plan* amendment and rezoning requests, a Certified Survey Map (CSM) was submitted to combine the four subject parcels into one lot. CSMs are administratively reviewed and approved by City staff. However, per Section 23-40(b) of the Municipal Code, there shall not be more than one zoning district on any parcel of land. Therefore, uniform zoning is needed before the commonly-owned parcels can be combined.

STAFF ANALYSIS

Procedural Findings: When *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning applications are required for the same development project, the respective staff reports are consolidated together as one.

Existing Site Conditions: Parcels #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00 consist of paved areas that were previously used as parking lots. Parcel #31-5-1232-00 is currently developed with a two-family dwelling (duplex) and detached garage. Combined, the subject land area totals approximately 43,418 square feet. The property has frontage along West Packard Street, North Richmond Street, and West Harris Street. On the City's Arterial/Collector Plan, Packard Street is classified as a collector street, Richmond Street is classified as an arterial street, and Harris Street is classified as a local street.

Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:

North: Zoning – C-2 General Commercial District.

Future Land Use Designation – Mixed Use.

Current Land Use – Various commercial uses, including the former VFW restaurant and dance hall building and Community First Credit Union.

South: Zoning – R-3 Multi-Family District and R-1C Central City Residential District.

Future Land Use Designation – Mixed Use.

Current Land Use – Vacant, undeveloped land and single-family residential.

East: Zoning – PD/C-2 Planned Development General Commercial District #11-01.

Future Land Use Designation – Mixed Use.

Current Land Use – Mixed-use building (Richmond Terrace) with commercial and multi-family residential.

West: Zoning – R-2 Two-Family District and R-1C Central City Residential District.

Future Land Use Designation – One and Two-Family Residential.

Current Land Use – Mix of two-family and single-family residential.

Proposed Future Land Use Designation: Amendments to the *Comprehensive Plan* are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a specific development proposal for the subject land area is necessitating the change to Mixed Use designation. Three of the subject parcels (#31-5-1234-00, #31-5-1236-00, and #31-5-1238-00) are already shown as Mixed Use designation on the Future Land Use Map, so the proposed amendment would represent an expansion of the Mixed Use designation and establish a uniform designation for the development area.

Comprehensive Plan 2010-2030 Goals and Objectives: The *Comprehensive Plan 2010-2030* and Future Land Use Map are intended to guide City growth and development in an organized, efficient manner. The Plan addresses a range of topics related to land use, housing and neighborhoods, economic development, transportation, utilities and community facilities, and more. Evaluating the proposed amendment for consistency with relevant goals, objectives, and policies is necessary in determining if

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 & Rezoning #7-21

June 23, 2021

Page 3

changes to the Future Land Use Map are appropriate. The proposed amendment appears to be consistent with the following excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

Goal 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

Goal 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Policy 5.3.2 Identify preferred locations and encourage urban infill and redevelopment to meet the needs of retirees and Generation X and Millennial buyers or renters, such as redevelopment sites on the north side of downtown.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Chapter 16: Richmond Street Corridor Plan, Redevelopment Opportunities:

In the southern portion of the corridor, a large area has been identified in which redevelopment may occur. This includes approximately three blocks on Richmond Street. Market demand, traffic volume, parcel size, and current under-utilization of the space suggests that these properties are among the most likely to redevelop.

Proposed Zoning Classification: The purpose of the C-1 Neighborhood Mixed Use District is to provide for mixed use areas, including a range of commercial and denser residential uses. Development is intended to be pedestrian-oriented, with businesses and services that are part of the fabric of the neighborhood and allow residents to meet daily needs on foot, bicycle, and public transit. Development standards provide added flexibility to encourage redevelopment along commercial corridors, without

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 & Rezoning #7-21

June 23, 2021

Page 4

being detrimental to established residential neighborhoods. Per Section 23-112(h) of the Municipal Code, the development standards for the C-1 District are listed below:

- 1) **Minimum lot area:** 6,000 square feet.
- 2) **Maximum lot coverage:** 90%.
- 3) **Minimum lot width:** 40 feet.
- 4) **Minimum front yard:** None.
- 5) **Minimum rear yard:** 20 feet.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet if abutting a residentially zoned district.
- 7) **Maximum building height:** 60 feet.

Zoning Ordinance Review Criteria: A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the request is being made to establish uniform zoning, allow for combining of lots via CSM, and accommodate future development. If the rezoning request is approved, any future development would need to conform to the C-1 Neighborhood Mixed Use District zoning regulations listed above and other applicable sections of the Zoning Ordinance. Ultimately, Site Plan review and approval would be required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

When rezoning parcels prior to a redevelopment project, the sequence of steps can be somewhat complex. Sometimes steps need to occur after the rezoning in order to achieve conformity. For example, parcel #31-5-1238-00 on its own does not meet the minimum lot area requirement for the C-1 District, but if the four lots are combined via CSM, the new lot would comply with applicable lot area and lot width standards (based on initial CSM review). Also, a duplex and parking lot are not permitted as standalone uses in the C-1 District, but a change of use is anticipated if the rezoning request is approved.

Per Section 23-112(i) of the Municipal Code, the C-1 District shall be utilized in areas identified with a future Mixed Use designation on the Comprehensive Plan Future Land Use Map. Three of the subject parcels are already shown as Mixed Use designation on the Future Land Use Map, and the requested amendment would change parcel #31-5-1232-00 to Mixed Use designation as well.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The Future Land Use Map already identifies parcels #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00 for future mixed uses. If Future Land Use Map Amendment #2-21 is*

approved, to identify this entire area for future mixed uses, the rezoning request will be in conformance with the Comprehensive Plan 2010-2030.

2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Commercial zoning already exists on two of the subject parcels. A mix of commercial and/or multi-family residential uses are already located north and east of the subject site, including the Richmond Terrace building directly across the street. C-1 District development standards, such as setbacks, and perimeter parking lot landscape buffers would be reviewed in accordance with Zoning Ordinance requirements at the time of Site Plan review. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied, provided Comprehensive Plan Future Land Use Map Amendment #2-21 is approved.

Technical Review Group (TRG) Report: These items appeared on the June 1, 2021 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-21 for specified property (Tax Id #31-5-1232-00) from One and Two-Family Residential designation to Mixed Use designation and resolution, **BE APPROVED**; and

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #7-21 to rezone the subject parcels located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00,

Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 & Rezoning #7-21

June 23, 2021

Page 6

#31-5-1236-00, and #31-5-1238-00) from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District, including to the centerline of the adjacent West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street right-of-way, as shown on the attached map, **BE APPROVED**.

NOTE: If approved, Rezoning #7-21 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #2-21 to accurately reflect the change in future land use from One and Two-Family Residential designation to Mixed Use designation.

**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on June 23, 2021, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #2-21) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on June 23, 2021; and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution:

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property (Tax Id #31-5-1232-00) on the Future Land Use Map from One and Two-Family Residential Use to Mixed Use.

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

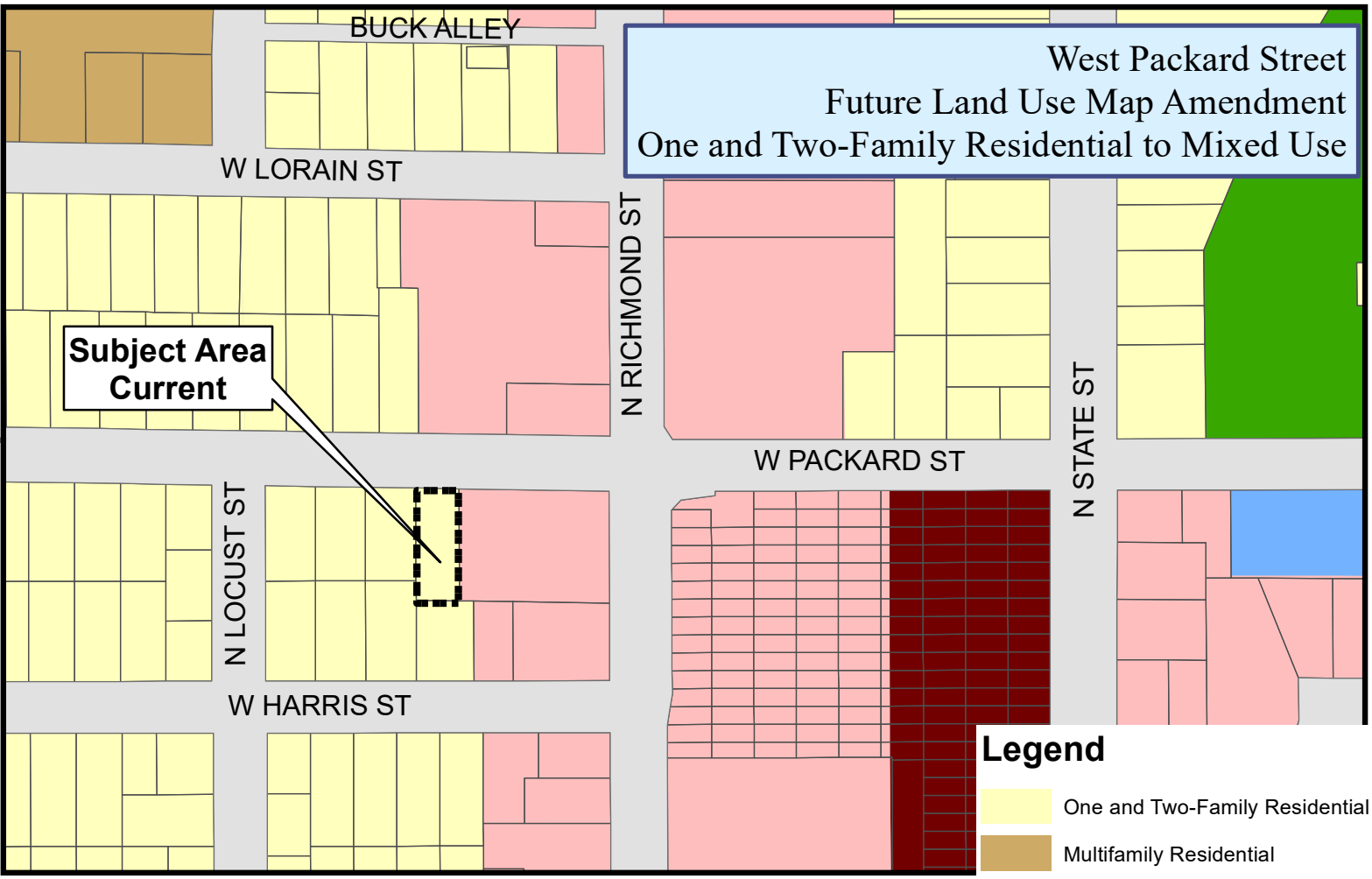
Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor

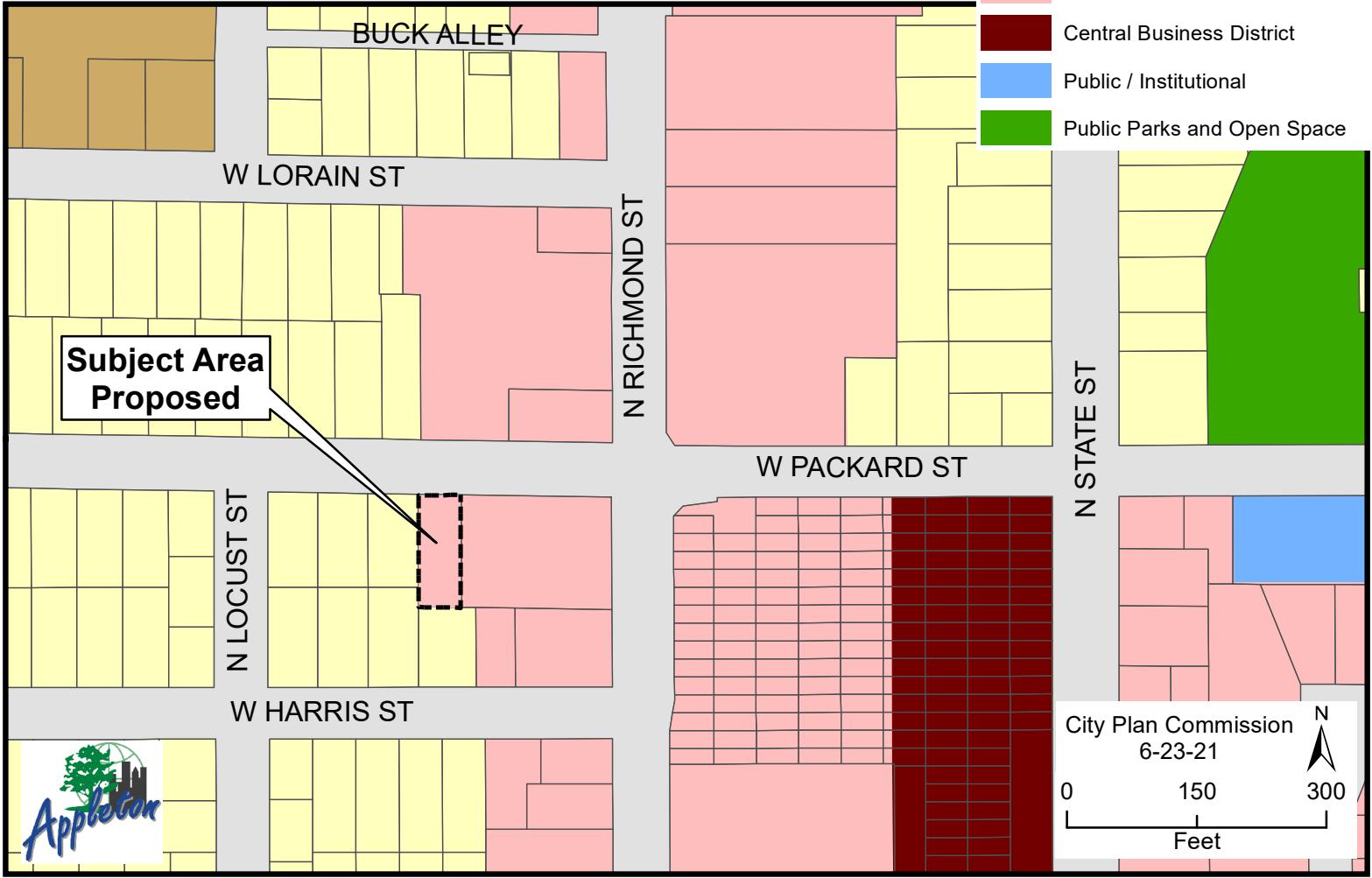
ATTEST:

Kami Lynch, City Clerk

West Packard Street
 Future Land Use Map Amendment
 One and Two-Family Residential to Mixed Use



- Legend**
- One and Two-Family Residential
 - Multifamily Residential
 - Mixed-Use
 - Central Business District
 - Public / Institutional
 - Public Parks and Open Space



City Plan Commission
 6-23-21

0 150 300
 Feet

N



Comprehensive Plan Future Land Use Map Amendment from One and Two-Family Residential designation to Mixed Use designation.

Legal Description – W. Packard Street

Tax Id: 31-5-1232-00

Lot 1, Block 37, Fifth Ward Plat, City of Appleton, Outagamie County, Wisconsin. Including the adjacent one-half (1/2) right-of-way of West Packard Street.

North Richmond Street & West Packard Street Rezoning
 C-2 General Commercial District, R-2 Two-Family District, and
 R-1C Central City Residential District to C-1 Neighborhood Mixed Use District
 Aerial Map

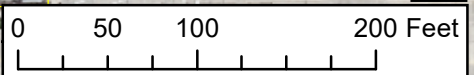


Subject Area

5-1101-1	5-1102-10	5-1103-1
5-1101-2	5-1102-11	5-1103-2
5-1101-3	5-1101-16	5-1102-12
5-1101-4	5-1101-20	5-1102-13
5-1101-5	5-1101-21	5-1102-14
5-1101-6	5-1101-22	5-1102-16
5-1101-7	5-1102-1	5-1103-1
5-1101-8	5-1102-2	5-1103-2
5-1101-9	5-1102-3	5-1103-3
5-1101-10	5-1102-4	5-1103-4
5-1101-11	5-1102-5	5-1103-5
5-1101-12	5-1102-6	5-1103-6
5-1101-13	5-1102-7	5-1103-7
5-1101-14	5-1102-8	5-1103-8
5-1100	5-1102-9	5-1103-9



City Plan Commission
 6-23-2021



LEGAL DESCRIPTION

PARCELS: 31-5-1232-00, 31-5-1234-00, 31-5-1236-00, and 31-5-1238-00

Description of lands to be rezoned from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District:

All of Lots 1, 2, 3, 4 and 5 and the East 45.5 feet of Lot 6, Block 37, Fifth Ward Plat, City of Appleton, Outagamie County, Wisconsin. Including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street.



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: June 23, 2021

Common Council Public Hearing Meeting Date: July 21, 2021 (Public Hearing on Rezoning)

Item: Rezoning #6-21 – 2700 East Calumet Street (Tax Id #31-4-5880-00)

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner: Keith Hoogland Limited Partnership

Applicant: Michael Kohne – Legacy Commercial Property

Address/Parcel #: 2700 E. Calumet Street (Tax Id #31-4-5880-00)

Petitioner's Request: The applicant proposes to rezone the subject property from PD/C-2 Family Video Planned Development District #23-99 to C-2 General Commercial District. The applicant is making this request to remove the Planned Development Overlay District and rezone the parcel to the base C-2 General Commercial District. The existing planned development district standards (PD/C-2 Family Video Planned Development District #23-99) only allow for video rental store and pizza restaurant uses on this parcel. The video store has recently vacated the building and the applicant no longer sees video stores as a viable use. The rezoning will provide for additional permitted uses on this parcel and greater flexibility for the re-use of the vacant tenant space.

BACKGROUND

In May 1991, the property was rezoned from R-1A One-Family Residential to C-O Commercial Office District and PRD Planned Residential District. A 2-Lot Certified Survey Map was also proposed to split the parcel to coordinate with the proposed C-O and PRD zoning district boundaries. Special Use Permit #1-91 was approved to allow for a Community Based Residential Facility on the PRD zoned parcel. A dental office building was proposed for the C-O zoned parcel. The CSM was never recorded and the proposed CBRF did not move forward. The dentist office was constructed in 2002.

In September 1991, a portion of the property was then rezoned from PRD Planned Residential District to C-O Commercial-Office District with the anticipation of credit union developing on this lot. That project did not move forward either.

Certified Survey Map #1359 was approved and recorded in 1992 to create the current parcel configuration.

In 1999, the property was rezoned from C-O Commercial Office District to PD/C-2 Family Video Planned Development District #23-99 to allow for the construction of a commercial two-tenant building to house a video rental/retail store and a pizza store on this parcel. The Implementation Plan Document

Rezoning #6-21

June 23, 2021

Page 2

(Doc. #1358007) was recorded on February 23, 2000. A Site Plan was subsequently approved and construction of the existing building and parking lot occurred in 2000.

STAFF ANALYSIS

Existing Site Conditions: The subject site is approximately 93,178 square feet in size and is located at the northwest corner of East John Street and East Calumet Street. The property contains a commercial building that is approximately 8,600 square feet in size and an associated off-street parking lot.

Surrounding Zoning Classification and Land Uses:

North: R-1A Single Family District. The adjacent land uses to the north are currently single-family residential uses.

South: P-I Public Institutional District and R-2 Two-Family District. The adjacent land uses to the south are currently two-family residential and a place of worship.

East: C-O Commercial Office District and R-1A Single Family District. The adjacent land uses to the east are currently office and single-family residential.

West: C-O Commercial Office District and P-I Public Institutional District. The adjacent land uses to the west are currently a dental office and City parkland (Lions Park).

Proposed Zoning Classification: The purpose of the C-2 General Commercial District is to provide for businesses which serve city and regional markets; provide goods and services to other businesses, as well as consumers, provide services to automobiles and serve the traveling public. The development standards for the C-2 District are listed below:

- 1) **Minimum lot area:** 14,000 square feet.
- 2) **Maximum lot coverage:** 75%.
- 3) **Minimum lot width:** 60 feet.
- 4) **Minimum front yard:** 10 feet.
- 5) **Minimum rear yard:** 20 feet.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet if abutting a residentially zoned district.
- 7) **Maximum building height:** 35 feet.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future Commercial designation. The proposed C-2 General Commercial District rezoning is consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Rezoning #6-21

June 23, 2021

Page 3

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods and greenfield development sites at the City's edge.

Goal 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

OBJECTIVE 9.4 Economic Development:

Ensure the continued vitality of downtown and the City's neighborhood commercial districts.

OBJECTIVE 9.5: Economic Development:

Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. It would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030, as the Future Land Use Map identifies this area for future commercial uses.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.

- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *This area of the City is served by existing infrastructure, and the transportation network should be adequate to serve the subject site. The parcel is currently being used for commercial purposes.*
 2. The effect of the proposed rezoning on surrounding uses. *A mix of commercial uses and public-institutional uses are already present in this area of City and are adjacent to this parcel. The parcel is also currently zoned for and being used for commercial purposes. Any future site modifications and/or uses would be reviewed in accordance with Zoning Ordinance requirements. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

Technical Review Group (TRG) Report: This item appeared on the June 1, 2021 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #6-21 to rezone the subject site located at 2700 E. Calumet Street (Tax Id #31-4-5880-00) from PD/C-2 Family Video Planned Development District #23-99 to C-2 General Commercial District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

Rezoning
2700 E. Calumet Street
PD/C-2 Planned Development District #23-99 to C-2 General Commerical District
Aerial Map



Subject Area



City Plan Commission
6-23-2021



0 50 100 200 Feet

Keith Hoogland Limited Partnership
2700 East Calumet Street
Appleton, WI 54915

Legal Description:

Lot One (1), Certified Survey Map No. 1359 recorded in the Office of the Register of Deeds for Outagamie County, Wisconsin, in Volume 7, on Page 1359, as Document No. 1046589, being part of Government Lot 3, Section 31, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, including the adjacent one-half (1/2) right-of-way



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: June 23, 2021

Common Council Public Hearing Meeting Date: July 21, 2021 (Public Hearing on Rezoning)

Item: Rezoning #8-21 – Coolidge Court (Property Tax Id #31-9-1117-00)

Case Manager: Don Harp

GENERAL INFORMATION

Owner: Calumet Village Partners, Chris Winter, Agent.

Applicant: Andrew Graf.

Address: Coolidge Court.

Parcel Number: 31-9-1117-00.

Petitioner's Request: The applicant proposes to rezone the subject property from PD/C-2 Planned Development General Commercial District #34-84 to the R-3 Multi-Family District. The existing planned development district standards (PD/C-2 Planned Development General Commercial District #34-84) do not allow for a building footprint with attached garages, patios, balconies and associated outdoor parking of vehicles in a driveway leading to attached garages. The request is being made by the applicant and owner because the applicant has interest in purchasing the lot and constructing a multi-family apartment building with these features utilizing the current R-3 Multi-family District standards of the Appleton Municipal Code.

BACKGROUND

In 1985, the Calumet Street Planned Development District #34-84 (now known as PD/C-2 Planned Development General Commercial District #34-84) was approved to allow for the construction of a Shopping Center Complex with a mix of retail, professional services, personal services, restaurant uses and an 8-unit multi-family apartment building to be located on Property Tax Id#'s 31-9-1114-00, 31-9-1114-01, 31-9-1116-00, 31-9-1117-00 and 31-9-1118-00.

- The 8-unit multi-family apartment building was authorized to be constructed on the parcel of land included in this rezoning request (Property Tax Id #31-9-1117-00). The 8-unit multi-family apartment building was never constructed and the parcel of land is currently listed for sale. The zoning requirements for the subject site (The Calumet Street P.D.D. #34-84) are attached. Subject site depicted by green highlight.

On May 18, 1994, Ordinance 61-94 was adopted, which repealed and recreated the Zoning Ordinance. This Zoning Ordinance introduced the Planned Development (PD) Overlay District. As a result, the subject property's zoning classification changed to PD/C-2 Planned Development General Commercial District #34-84.

On June 2, 2004, Ordinance 74-04 was adopted, which repealed and recreated the Zoning Ordinance that is currently in place. This Zoning Ordinance included a section on transition rules. Section 23-35(c) states, "Planned development districts in force at the time of adoption of this ordinance shall continue to be controlled under the standards of the existing planned development district until rezoned by Common Council. However, processes for approving or amending adopted final development plans, plats, certified survey maps, or site plans, shall follow the procedures of this ordinance."

STAFF ANALYSIS

Existing Site Conditions: The subject site is approximately 34,243 square feet in size and is located at the east end of Coolidge Court on the southside of the street. No structures exist on the site.

Surrounding Zoning Classification and Land Uses:

North: PD/C-2 Planned Development General Commercial District #34-84. The adjacent land uses to the north are currently a mix of commercial uses.

South: R-3 Multi-Family District. The adjacent land uses to the south are currently multi-family residential.

East: PD/C-2 Planned Development General Commercial District #34-84. The adjacent land uses to the east are currently a mix of commercial uses.

West: R-1B Single-Family District. The adjacent land uses to the west are currently single-family residential.

Proposed Zoning Classification: The purpose of the R-3 Multi-Family District is to provide for and maintain residential areas characterized by multiple family dwellings, while maintaining the basic qualities of a dense residential neighborhood, which may include other housing types and institutional and limited non-residential uses. The development standards for multi-family dwellings in R-3 District are listed below:

1. ***Minimum lot area, multi-family dwellings:*** One thousand five-hundred (1,500) square feet per dwelling unit.
2. ***Minimum lot width:*** Eighty (80) feet.

3. **Minimum front lot line setback:** Twenty (20) feet (twenty-five (25) feet minimum on arterial street).
4. **Minimum rear lot line setback:** Thirty-five (35) feet.
5. **Minimum side lot line setback:** Twenty (20) feet.
6. **Minimum distance between multi-family buildings:** Twelve (12) feet.
7. **Maximum lot coverage:** Seventy percent (70%).
8. **Maximum height:** Forty-five (45) feet.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Future Land Use Map identifies the subject area as future Multi-family residential designation. The proposed R-3 Multi-family District rezoning is consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods and greenfield development sites at the City's edge.

Goal 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Policy 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 7.1 Utilities and Community Facilities:

Provide a pattern of development that minimizes impacts to municipal services and utilities.

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. It would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030, as the Future Land Use Map identifies this area for future multi-family residential uses.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
 1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *This area of the City is served by existing infrastructure, and the transportation network should adequate to serve the subject site.*
 2. The effect of the proposed rezoning on surrounding uses. *A mix of Single-family, Multi-family and Commercial uses are already present in this area of City. The current development standards for the R-3 District, including minimum setbacks, would create some separation from the adjacent uses. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

Technical Review Group (TRG) Report: This item appeared on the June 1, 2021 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #8-21 to rezone the subject site located at Coolidge Court (Property Tax Id #31-9-1117-00) from PD/C-2 Planned Development General Commercial District #34-84 to R-3 Multi-Family District, including the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

The Calumet Street P.D.D. #34-84
Tax Parcel Number 31-9-1117-00
Coolidge Court
PD Summary Sheet

A. Planned Development History:

1. The Calumet Street P.D.D. #34-84.
2. Effective Date of P.D.D. #34-84: March 24, 1985.
3. No Implementation Plan Doc. Recorded, for Zoning District changed from P.D.D. #34-84 to PD/C-2 with adoption of the 1994 Zoning Ordinance and Map, Ordinance #61-94.

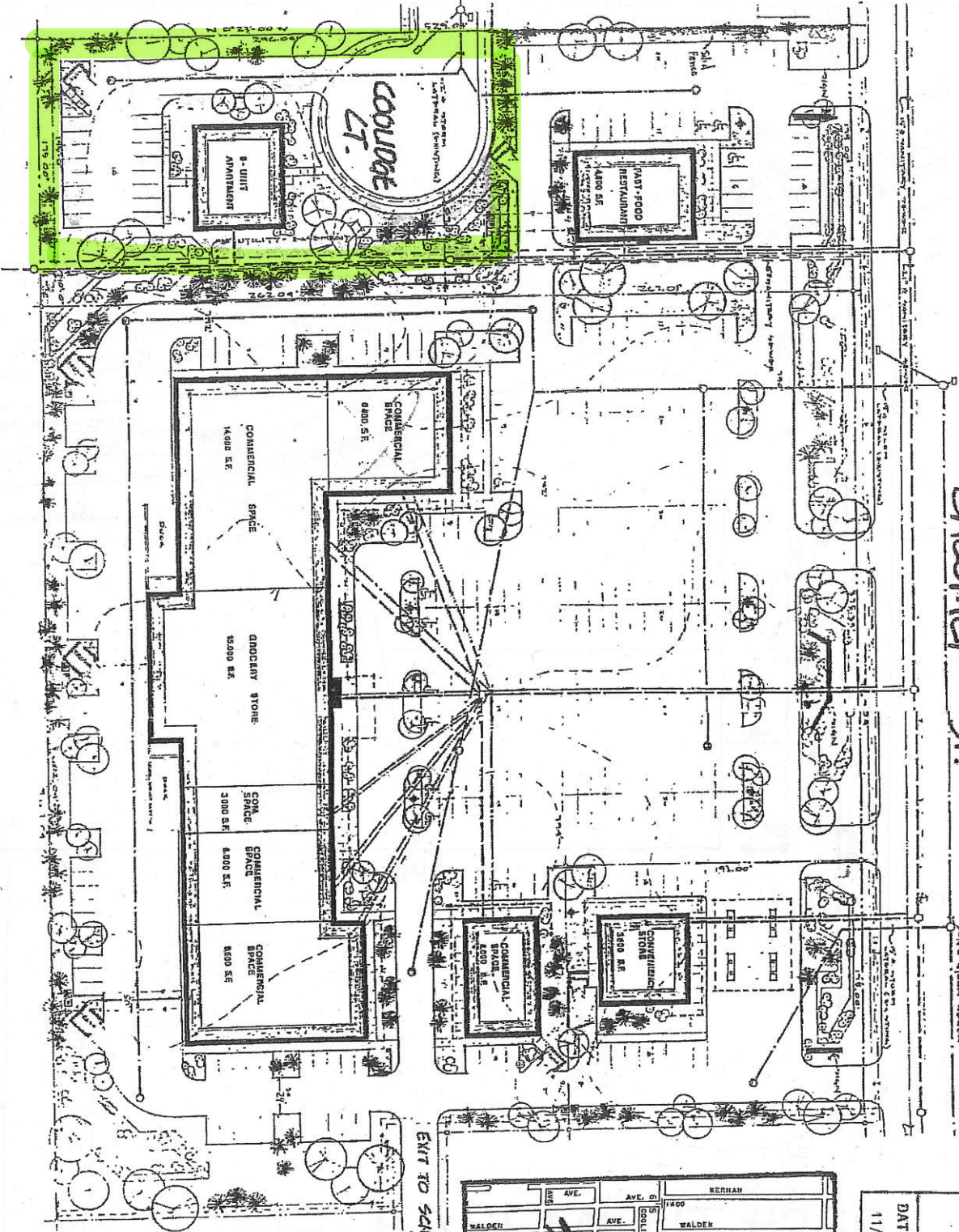
B. Summary of this Analysis: Pertains to Tax Parcel Number 31-9-1117-00 located on Coolidge Court.

C. Special PD Regulations Granted Per P.D.D. #34-84 for Tax Parcel Number 31-9-1117-00.

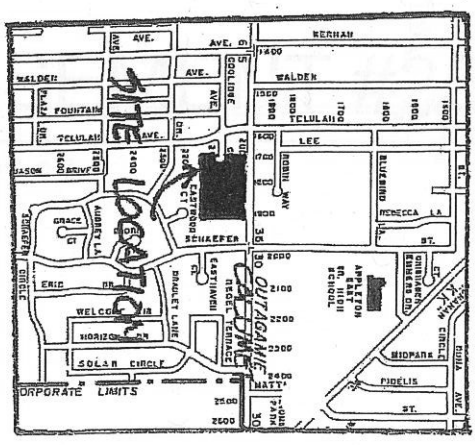
1. ***Permitted Use (Only):*** 8 Unit Multi-family Apartment Building.
2. ***Accessory Uses (Only):*** Driveway, Off-street parking lot accommodating 16 parking spaces and Trash enclosure.
3. ***Principal Building Setbacks.***
 - a. Minimum Front Lot Line Building Setback (Coolidge Court): 20 feet.
 - b. Minimum Side Lot Line Building Setback (West Lot Line): 60 feet.
 - c. Minimum Side Lot Line Building Setback (East Lot Line): 10 feet.
 - d. Minimum Rear Lot Line Building Setback (South Lot Line): 20 feet, the off-street parking lot shall be located on the south side of the 8 Unit Multi-family Apartment Building as illustrated on the attached Site Plan dated 11/84.
4. ***Off-Parking Lot and Driveway Pavement Setbacks.***
 - a. Front Yard: Off-Street Parking Lot, Not Allowed.
 - b. Minimum Side Lot Line Pavement Setback (West Lot Line): 15 feet.
 - c. Minimum Side Lot Line Pavement Setback (East Lot Line): 10 feet.
 - d. Minimum Rear Lot Line Pavement Setback (South Lot Line): 15 feet.
5. ***Trash Enclosure Setbacks.***
 - a. Front Yard: Not Allowed.
 - b. Minimum Side Lot Line Setback (West Lot Line): 15 feet.
 - c. Minimum Side Lot Line Pavement Setback (East Lot Line): 10 feet.
 - d. Minimum Rear Lot Line Pavement Setback (South Lot Line): 15 feet.


6. **Principal Building Height. Maximum:** 3 stories, 45 feet.
 7. **Trash Enclosure Height.** Maximum 6 feet.
 8. **Maximum Lot Coverage:** Not applicable to P.D.D. #34-84.
 9. **Site Design, Building and Parking Layout:** Shall be consistent with the approved Site Plan for the Calumet Street P.D.D #34-84, Dated 11/84. (see attached)
- D. Other Standards:** Refer to the current applicable Municipal Code regulations that are in effect.
- E. Public Utilities:** Attached is a diagram showing the location of the public utilities. Please contact Ross Buetow, City Engineer at 832-6485 for any questions regarding connections to public utilities.
- F. Site plan review and approval:** Site plan review and approval is required pursuant to Section 23-570 of the current Municipal Code prior to the issuance of any permits.

CAUMET ST.

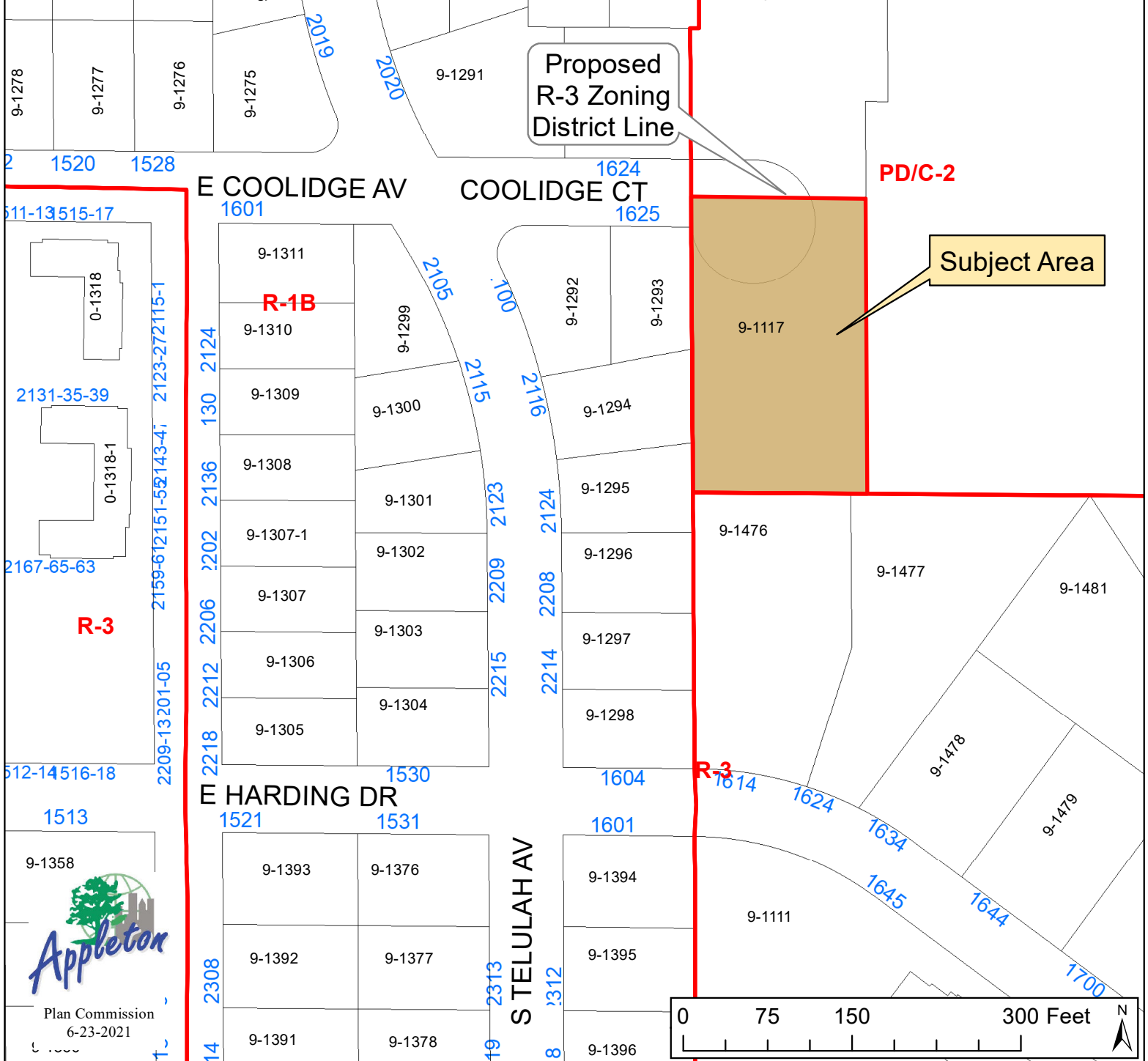
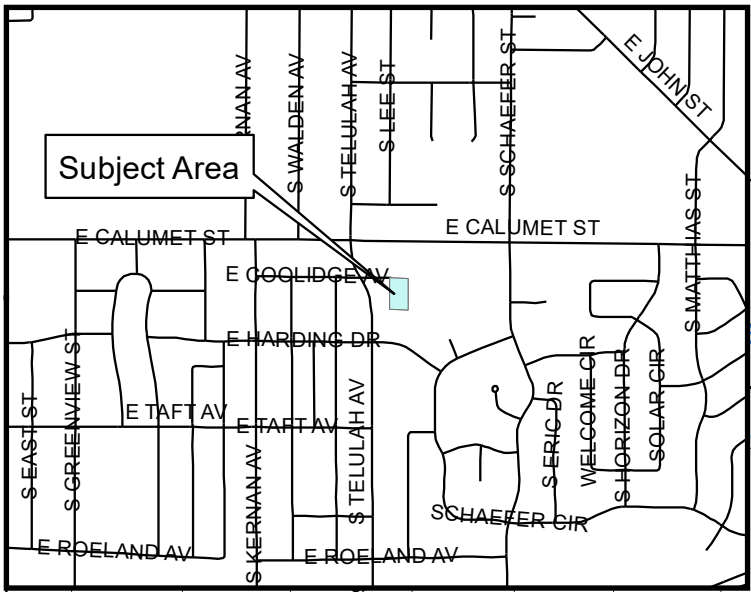


EXIT TO SQUARE ST.



	CITY PLAN COMMISSION APPLETON, WISCONSIN
DATE: 11/84	REZONING APPLICATION #34-84
MADISON REAL ESTATE INVESTMENT FUND	

Rezoning
 Tax Id. 31-9-1117-00
 Undeveloped Lot on Coolidge Court
 PD/C-2 Planned Development General
 Commercial District to R-3 Multi-family District
 Zoning Map

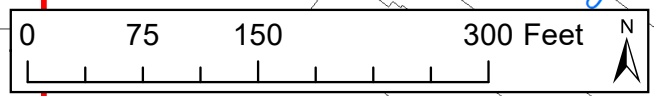


Proposed
 R-3 Zoning
 District Line

Subject Area



Plan Commission
 6-23-2021



Rezoning
Tax Id. 31-9-1117-00
Undeveloped Lot on Coolidge Court
PD/C-2 Planned Development General
Commercial District to R-3 Multi-family District
Aerial Map

E CALUMET ST

E COOLIDGE AV

COOLIDGE CT

Subject Area

S TELULAH AV

E HARDING DR



City Plan Commission
6-23-2021



0 50 100 200 Feet





REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: June 23, 2021

Common Council Meeting Date: July 7, 2021

Item: Special Use Permit #1-21 for alcohol sales and consumption at 141 South RiverHeath Way / (Tax Id #31-4-0828-08)

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Mark Geall, RH Events, LLC

Address/Parcel #: 141 South RiverHeath Way / #31-4-0828-08

Petitioner's Request: Poplar Hall is a special event center to be used for business meetings, weddings, concerts, and other special events. The Special Use Permit request is for alcohol sales and consumption (inside the building and outdoors on the premises) at 141 South RiverHeath Way / (Tax Id #31-4-0828-08).

BACKGROUND

The owner/applicant applied for a Reserve "Class B" Liquor and Class "B" Beer License application and received approval from the Common Council on June 2, 2021.

On April 30, 2020, Site Plan #4-20 was approved by City staff. Building Permit #B20 was issued on May 1, 2020, to allow for the construction of Poplar Hall, including the ice rink and a parking lot expansion.

On July 22, 2016, Implementation Plan Document Number 2078822 was recorded in the Outagamie County Register of Deeds' office. Implementation Plan Document Number 2078822 establishes the development guidelines and zoning district standards for the subject site and Planned Development District #1-11.

On May 4, 2011, the Common Council approved Planned Development (PD) Rezoning #1-11, which repealed (PD) rezoning #12-08.

On August 20, 2008, the Common Council approved Planned Development (PD) Rezoning #12-08 which rezoned the RiverHeath development from M-2 General Industrial District to PD/C-2 Planned Development General Commercial District.

STAFF ANALYSIS

Project Summary: The building area is 8,400 square feet with a 3,000 square foot outdoor space, which includes a patio and an ice rink.

Zoning Ordinance Requirements: The subject site is located in the PD/C-2 Planned Development General Commercial District, and the proposed use may be permitted by special use permit within this overlay zoning district pursuant to the RiverHeath PD #1-11, Document Number 2078822 and subsequent amendment. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

Operational Information: The plan of operation is attached to the staff report.

Outdoor Area: The applicant proposes to utilize the outdoor area for alcohol sales and consumption, as is shown on the development plan (green highlighted area).

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally commercial and residential in nature.

North: M-2 General Industrial District. The Fox River is immediately north of the subject property.

South: PD/C-2 Planned Development General Commercial District. The adjacent land to the south is an off-street parking lot associated with the RiverHeath Planned Development.

East: PD/C-2 Planned Development General Commercial District. The adjacent land to the east is the Appleton Marriott Courtyard Riverfront Hotel.

West: PD/C-2 Planned Development General Commercial District. The adjacent land to the west is the RiverHeath Willow Building (Commercial and Residential uses).

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Mixed Use designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

Special Use Permit #1-21
June 23, 2021
Page 3

Goal 8 – Economic Development

Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

OBJECTIVE 9.5 Economic Development:

Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

OBJECTIVE 9.6 Economic Development:

Create a vibrant environment that is conducive to attracting and retaining talented people.

Policy 9.6.2 Encourage the creation of vibrant mixed-use urban areas in the downtown and along the Fox River that are both walkable and bicycle-friendly.

Technical Review Group (TRG) Report: This item appeared on the June 1, 2021 TRG Agenda. No negative comments were received from participating departments.

Zoning Ordinance Requirements and Substantial Evidence: When reviewing an application for a Special Use Permit, the City must determine if the applicant’s proposal satisfies Municipal Code requirements and conditions. Pursuant to Section 23-66(c)(5) of the Municipal Code, the Plan Commission and Common Council must provide substantial evidence supporting their decision to approve, approve with conditions, or deny the Special Use Permit. Substantial evidence means “facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Special Use Permit and that reasonable persons would accept in support of a conclusion.” Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

Finding of Fact: This request was reviewed in accordance with the standards (proper zoning district, district regulations, special regulations, comprehensive plan and other plans, traffic, landscaping and screening, neighborhood compatibility, and impact on services) for granting a Special Use Permit under Section 23-66(e)(1-8) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #1-21 for alcohol sales and consumption (inside the building and outdoors on the premises) at 141 South RiverHeath Way, also identified as Parcel Number #31-4-0828-08, as shown on the attached maps and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.
 - **Substantial Evidence:** This condition provides notice to the applicant that they are required to receive a liquor license from the City Clerk's office prior to serving alcohol inside the building located at 141 South RiverHeath Way in order to comply with Municipal Code and General Policy Statement on Beer/Liquor Licensing.
2. The applicant shall comply with the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.
 - **Substantial Evidence:** This condition provides notice to the applicant that they are required to follow the standards for serving alcohol in the City of Appleton in order to promote the health, safety and general welfare of the City.
3. The premises shall be kept free of litter and debris.
 - **Substantial Evidence:** This requirement assures the applicant understands they must keep the premises free of litter and debris at all times in order to promote the health, safety, comfort and general welfare of the City.
4. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - **Substantial Evidence:** This condition assures the applicant understands they must follow the City's Municipal Code and all applicable State and Federal laws which they are required to follow while conducting business in the City; failure to follow City, State and Federal regulations may result in revocation of their Special Use Permit to serve alcohol.
5. The applicant shall have twelve (12) months from the issuance of the Special Use Permit to obtain an occupancy permit for the proposed building located at 141 South RiverHeath Way, or Special Use Permit #1-21 will expire.
 - **Substantial Evidence:** Standardized condition to ensure the use is established in a timely manner.

6. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
 - **Substantial Evidence:** Standardized condition that establishes a process for review and approval of future changes to the special use in order to promote the health, safety and welfare of the City.

RESOLUTION

CITY OF APPLETON RESOLUTION APPROVING SPECIAL USE PERMIT #1-21

WHEREAS, Mark Geall, owner of the Event Center known as Poplar Hall has applied for a Special Use Permit to allow alcohol sales and consumption on the premises (inside the building and outdoors on the premises) located at 141 South RiverHeath Way, and also identified as Parcel Number 31-4-0828-08, and

WHEREAS, the premises is located in the PD/C-2 Planned Development General Commercial District, and the proposed use may be permitted by special use within this overlay zoning district pursuant to the RiverHeath PD #1-11, Document Number 2078822 and subsequent amendment; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on June 23, 2021 on Special Use Permit #1-21 at which all those wishing to be heard were allowed to speak or present written comments and other materials presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department's staff report and recommendation and other spoken and written evidence and testimony presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) and 23-66(h)(6) of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code, and forwarded Special Use Permit #1-21 to the City of Appleton Common Council with a favorable conditional or not favorable (CIRCLE ONE) recommendation; and

WHEREAS, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on July 7, 2021.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Common Council, based on Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed in Sections 23-66(e)(1-8) are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #1-21 for alcohol sales and consumption on the premises (inside the building and outdoors on the premises) located at 141 South RiverHeath Way, also identified as Parcel Number #31-4-

0828-08 based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)

3. If YES, the City of Appleton Common Council hereby approves Special Use Permit #1-21 for alcohol sales and consumption on the premises (inside the building and outdoors on the premises) located at 141 South RiverHeath Way, also identified as Parcel Number #31-4-0828-08 subject to the following conditions:

CONDITIONS OF SPECIAL USE PERMIT #1-21:

- A. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving alcohol on the premises.
 - B. The applicant shall comply with the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.
 - C. The premises shall be kept free of litter and debris.
 - D. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - E. The applicant shall have twelve (12) months from the issuance of the Special Use Permit to obtain an occupancy permit for the proposed building located at 141 South RiverHeath Way, or Special Use Permit #1-21 will expire.
 - F. Any expansions of the special use, changes to the development plan(s), plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
4. The City Clerk's Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

Adopted this 7th day of July 2021.

Jacob A. Woodford, Mayor

ATTEST:

Kami Lynch, City Clerk

PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business information:

Name of business: RH Events LLC dba Poplar Hall

Years in operation: 0

(Check applicable proposed business activity(s) proposed for the premises)

- Restaurant
- Tavern/Night Club/Wine Bar
- Painting/Craft Studio
- Microbrewery/Brewpub (manufacturing a total of not more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Brewery (manufacturing a total of more than 310,000 U.S. gallons of fermented malt beverages per calendar year)
- Winery (manufacturing of wine)
- Craft-Distillery (manufacturing a total of not more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Distillery (manufacturing a total of more than 100,000 proof gallons of intoxicating liquor per calendar year)
- Tasting room offering fermented malt beverages, wine or intoxicating liquor for consumption and/or retail sales on the premises where the fermented malt beverages, wine or intoxicating liquor is manufactured and/or at an off-premises location associated with premises. Tasting rooms may include food sales.
- Other special event center

Detailed explanation of proposed business activities:

Poplar Hall is a special event center, to be used for business meetings, weddings, concerts, and other special events. Other than special events, it will not be open.

Existing gross floor area of building/tenant space, including outdoor spaces:

(square feet) New construction

Proposed gross floor area of building/tenant space, including outdoor spaces:

(square feet) 11,400sf total

Occupancy limits:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 1015 (IBC) persons.

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Monday thru Thursday	8am	11pm special events only, no regular schedule
Friday	8am	11pm special events only, no regular schedule
Saturday	8am	11pm special events only, no regular schedule
Sunday	8am	11pm special events only, no regular schedule

Production/Storage information:

(Check applicable proposed business activity(s) proposed for the premises)

- Current production of fermented malt beverages: _____ U.S. gallons per year
- Proposed production of fermented malt beverages: _____ U.S. gallons per year
- Current production of wine: _____ U.S. gallons per year
- Proposed production of wine: _____ U.S. gallons per year
- Current production of intoxicating liquor: _____ proof gallons per year
- Proposed production of intoxicating liquor: _____ proof gallons per year

None. If none, leave the following 2 storage questions blank.

Identify location of grains and/or juice, grapes, other fruits or other agricultural product storage and type of storage container(s) used:

Identify the storage location of spent grains and/or grapes, other fruits or other agricultural products and type of storage container(s) used:

Outdoor Space Uses:

(Check applicable outdoor space uses)

Patio

Deck

Sidewalk Café

Other _____.

None. If none, leave the following questions in this section blank.

Size: **3000** _____ square feet

Type of materials used and height of material to enclose the perimeter of the outdoor space:

Fencing Landscaping Other _____ Height **four** feet

Is there any alcohol consumption incorporated within the outdoor facility? Yes ___ No ___

If yes, please describe:

Are there plans for outdoor music/entertainment? Yes ___ No ___

If yes, describe how the noise will be controlled:

Is there any food service incorporated in this outdoor facility proposal? Yes ___ No ___

Proposed Hours of Operation for Outdoor Space:

Day	From	To
Monday thru Thursday	8am	8pm, special event use only
Friday	8am	8pm, special event use only
Saturday	8am	8pm, special event use only
Sunday	8am	8pm, special event use only

NOTE: Hours of Operation for Outdoor Uses (Sidewalk Café with Alcohol):

******Municipal Code Section 9-262(b)(4): The permit holder can begin serving alcoholic beverages in the sidewalk café at 4:00 p.m. Monday through Friday and 11:00 a.m. on Saturday and Sunday. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.**

Describe Any Potential Noise Emanating From the Proposed Use:

Describe the noise levels anticipated from all equipment or other mechanical sources:
Outdoor, the noise would be from a wedding ceremony, so vows and hymns.
Indoors, we plan to host concerts as well as weddings, so amplified music from speakers.

Describe how the crowd noise will be controlled inside and outside the building:
Outdoors, there will be no amplified music beyond wedding ceremonies. Those ceremonies will be complete by no later than 7pm to accommodate a dinner afterwards. For indoor noise control, Poplar Hall is dug into the hill, with three

Off-Street Parking:

Number of spaces existing on-site: 114.00

Number of spaces proposed on-site: 114.00

Street Access:

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is adequate. We have proposed no new street improvements. Including the hotel, RiverHeath has 290 off street surface parking stalls. Residents have 238 indoor secured parking stalls. Outside RiverHeath, there are over 1000 available surface parking stalls within a five minute walk. See the Parking Study, 01/24/2020.

Other Licensed Premises:

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby licensed premises:

- Appleton Courtyard Riverfront Marriott hotel, adjacent to the north.
- Tempest Coffee Collective, in the Prairie Building, 400 feet south.
- Mr. Brew's Taphouse, in the Evergreen Building, 600 feet south.

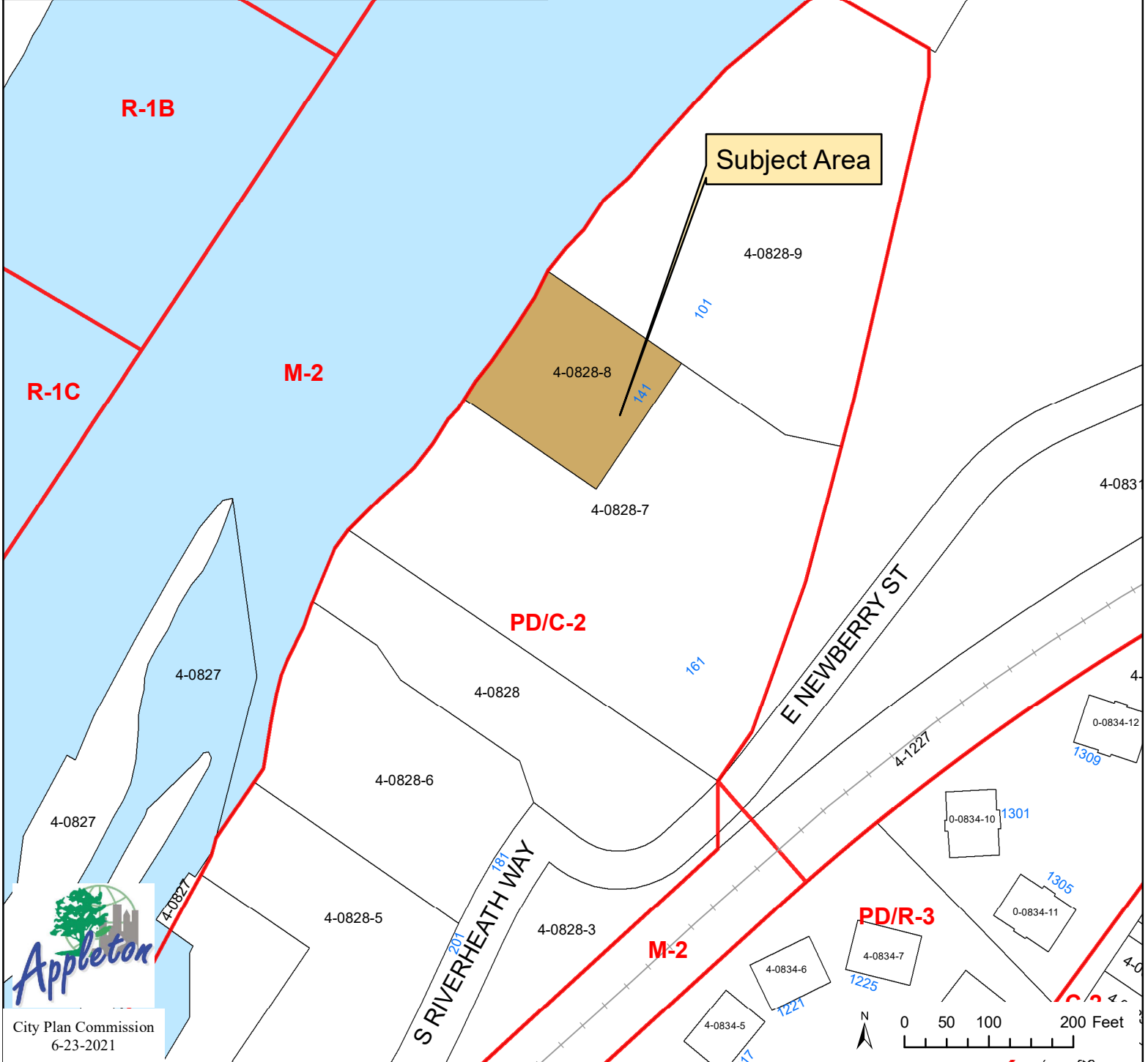
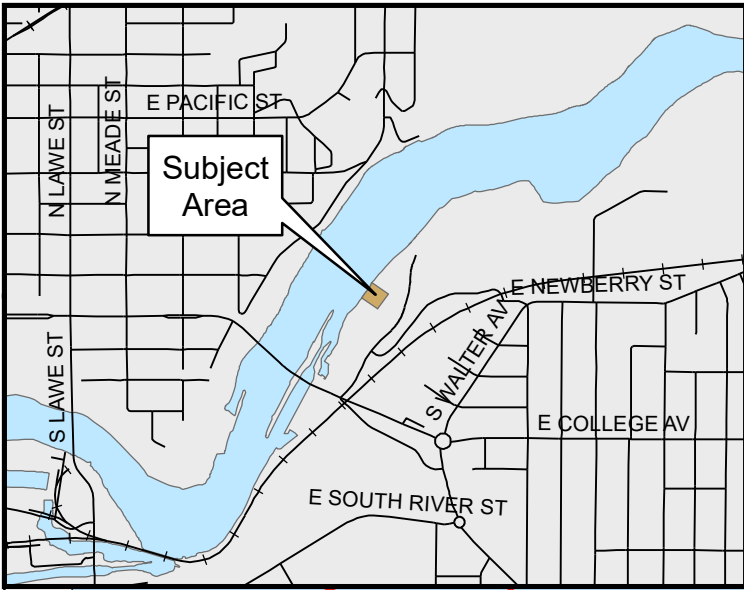
Number of Employees:

Number of existing employees: 1.00

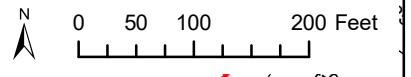
Number of proposed employees: 25.00

Number of employees scheduled to work on the largest shift: 25.00

Special Use Permit
Alcohol Sales and Consumption
Poplar Hall
141 S Riverheath Way
Zoning Map



City Plan Commission
6-23-2021



Special Use Permit
Alcohol Sales and Consumption
Poplar Hall
141 S Riverheath Way
Aerial Map

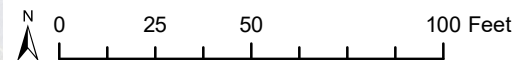
Subject Area

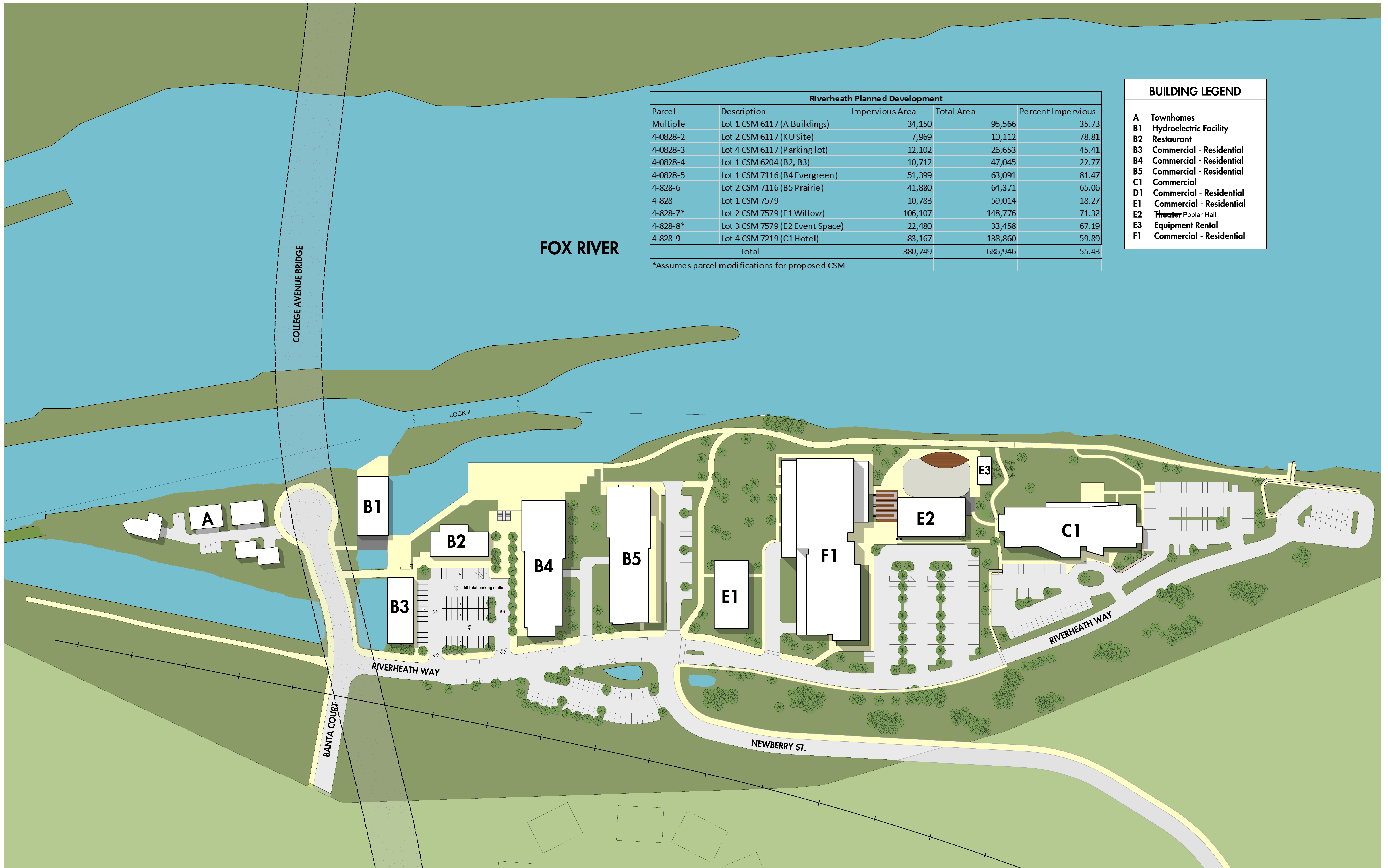
4-0828-8

747

107

4-0828-7



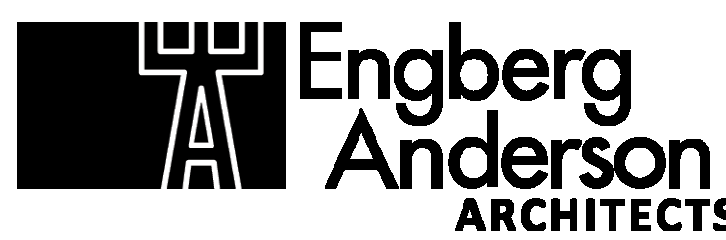


Riverheath Planned Development				
Parcel	Description	Impervious Area	Total Area	Percent Impervious
Multiple	Lot 1 CSM 6117 (A Buildings)	34,150	95,566	35.73
4-0828-2	Lot 2 CSM 6117 (KU Site)	7,969	10,112	78.81
4-0828-3	Lot 4 CSM 6117 (Parking lot)	12,102	26,653	45.41
4-0828-4	Lot 1 CSM 6204 (B2, B3)	10,712	47,045	22.77
4-0828-5	Lot 1 CSM 7116 (B4 Evergreen)	51,399	63,091	81.47
4-828-6	Lot 2 CSM 7116 (B5 Prairie)	41,880	64,371	65.06
4-828	Lot 1 CSM 7579	10,783	59,014	18.27
4-828-7*	Lot 2 CSM 7579 (F1 Willow)	106,107	148,776	71.32
4-828-8*	Lot 3 CSM 7579 (E2 Event Space)	22,480	33,458	67.19
4-828-9	Lot 4 CSM 7219 (C1 Hotel)	83,167	138,860	59.89
Total		380,749	686,946	55.43

*Assumes parcel modifications for proposed CSM

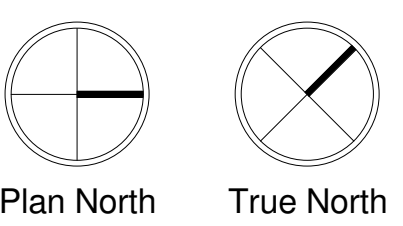
BUILDING LEGEND	
A	Townhomes
B1	Hydroelectric Facility
B2	Restaurant
B3	Commercial - Residential
B4	Commercial - Residential
B5	Commercial - Residential
C1	Commercial
D1	Commercial - Residential
E1	Commercial - Residential
E2	Theater Poplar Hall
E3	Equipment Rental
F1	Commercial - Residential

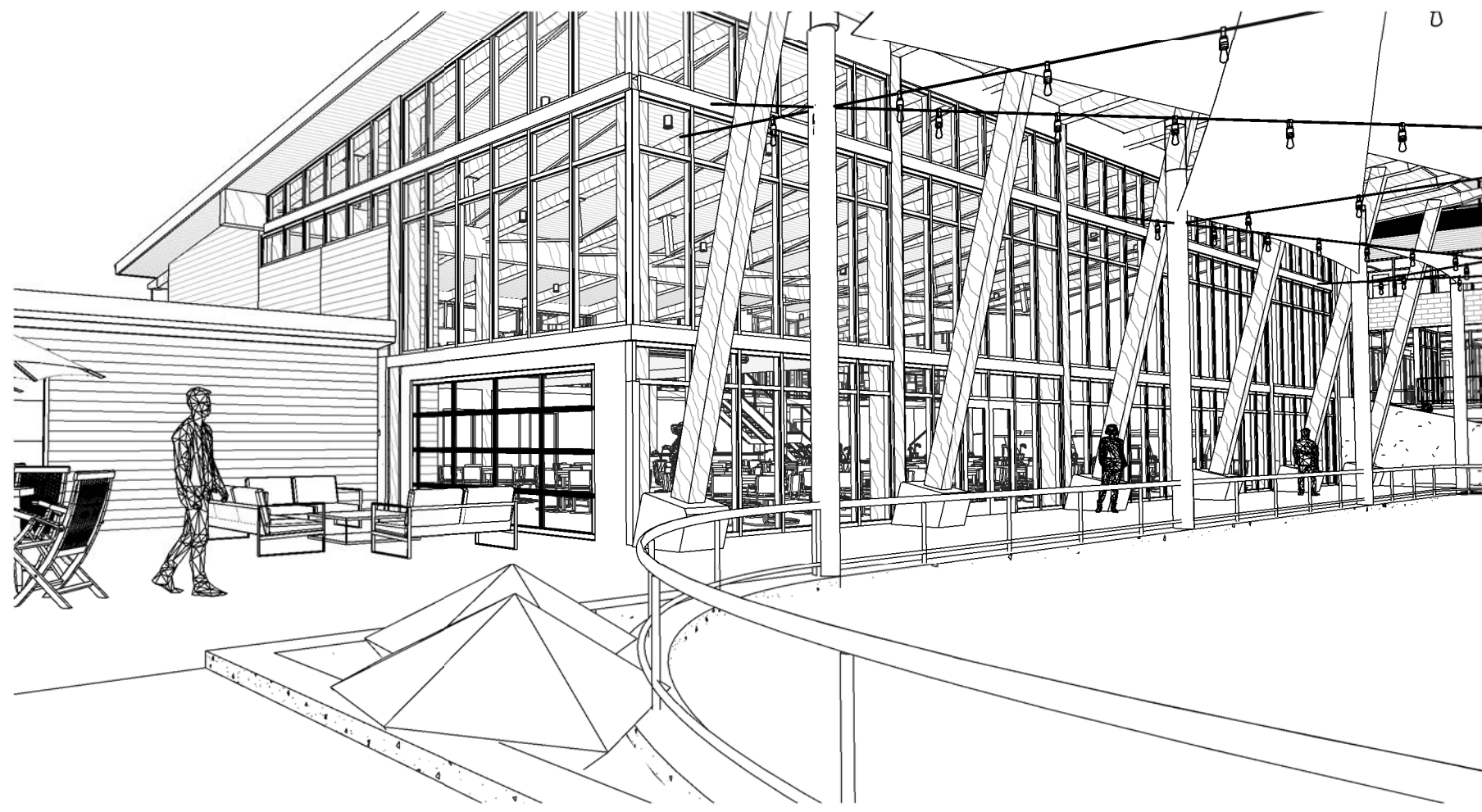
RIVERHEATH - APPLETON WISCONSIN



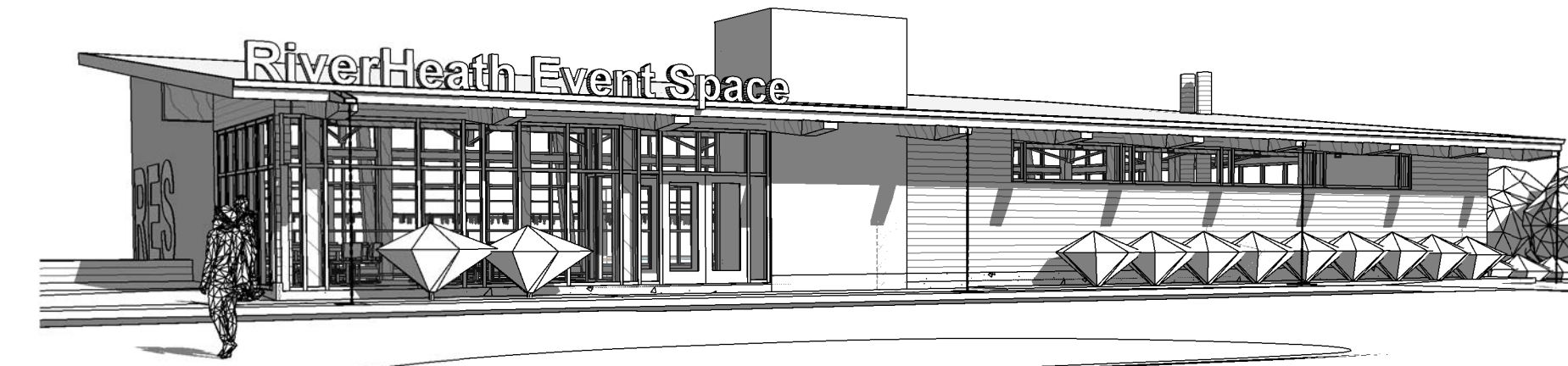
MASTER PLAN
SCALE: 1" = 60'-0"

Engberg Anderson Project No. 071711

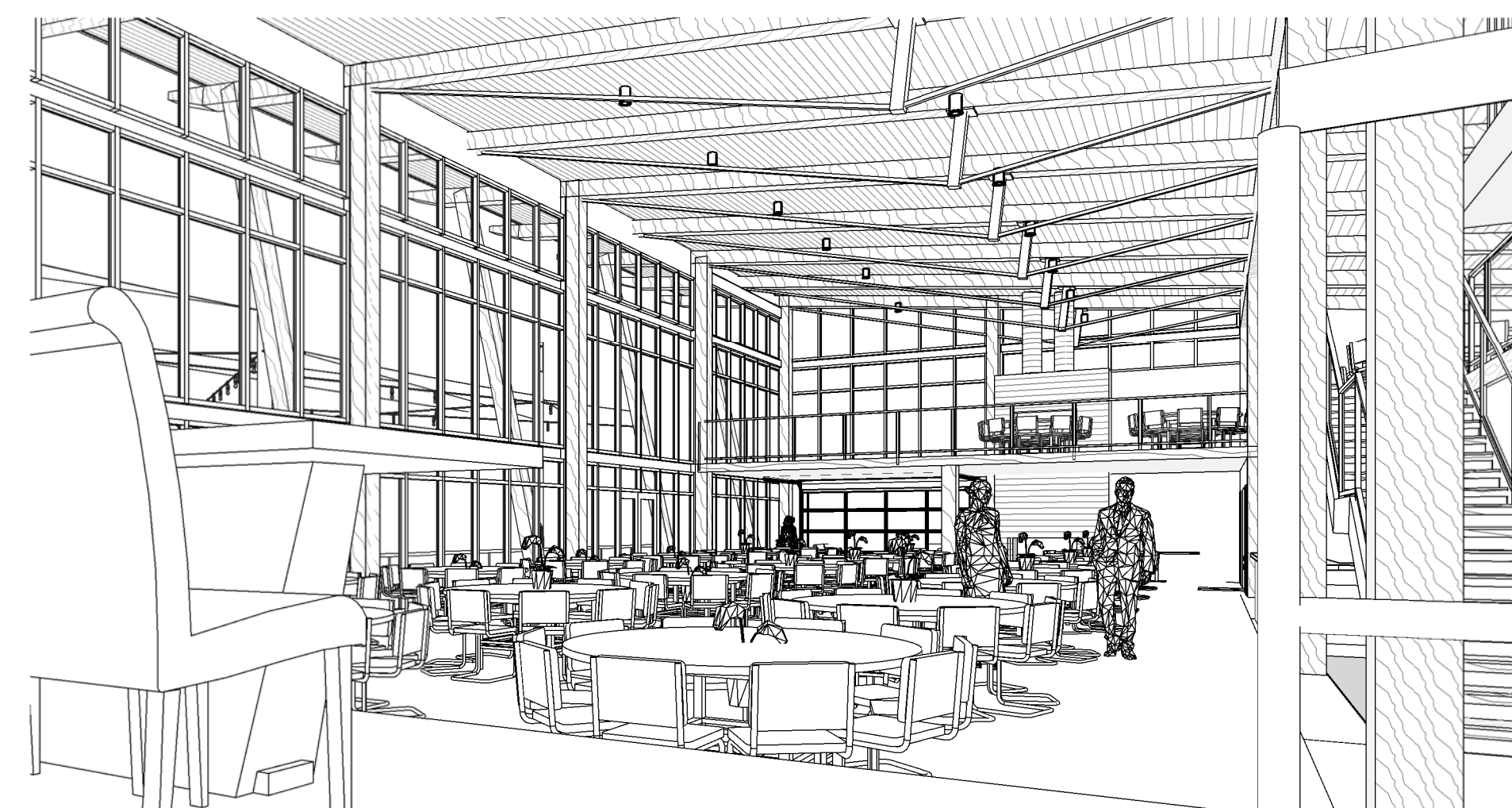




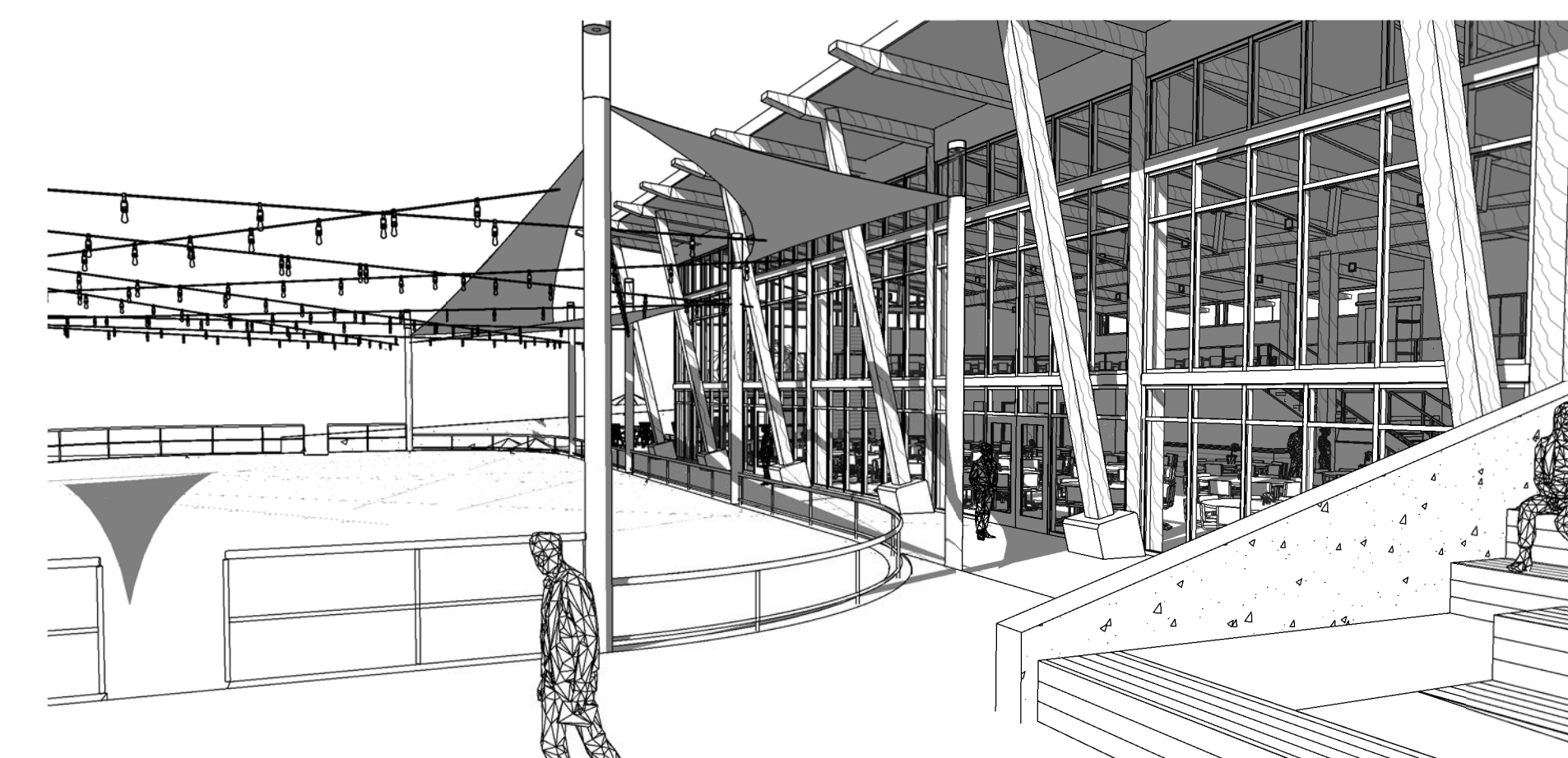
3 RES - PERSPECTIVE 01
SCALE:



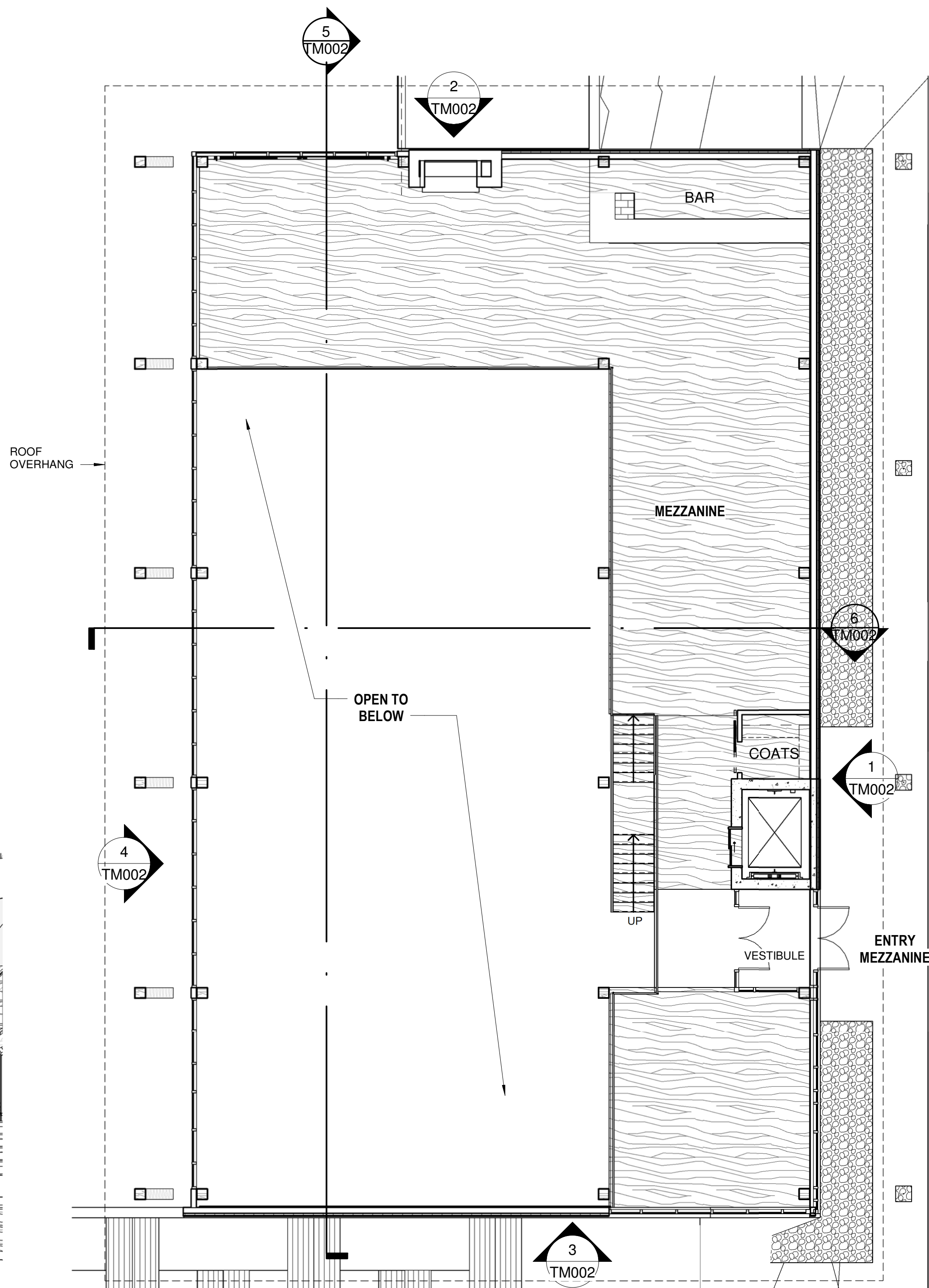
4 RES - PERSPECTIVE 02
SCALE:



5 RES - PERSPECTIVE 03
SCALE:



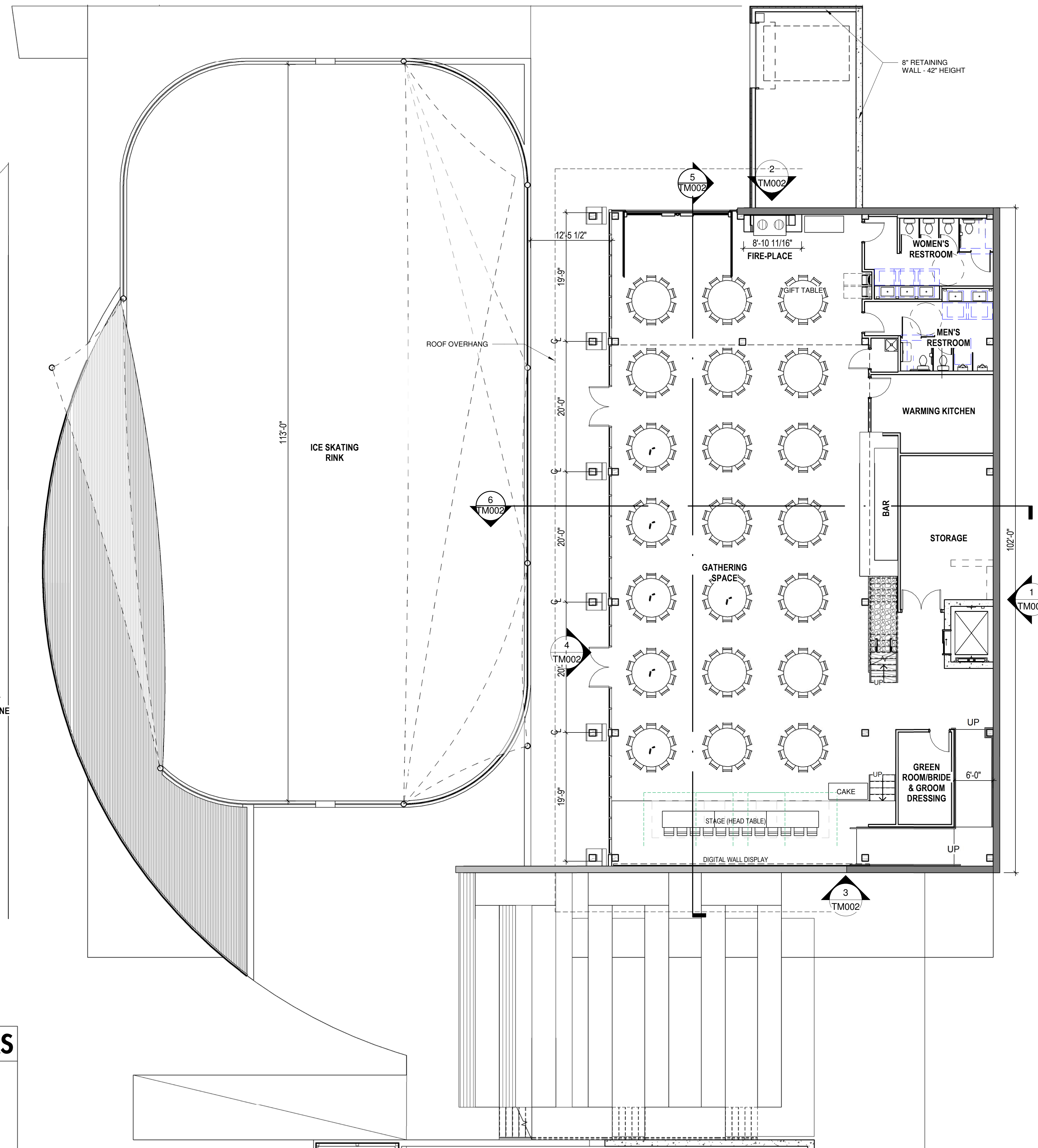
6 RES - PERSPECTIVE 04
SCALE:



2 RIVERHEATH EVENT CENTER - MEZZANINE
SCALE: 1/8" = 1'-0"

RIVERHEATH EVENT CENTER - BUILDING AREAS

MAIN LEVEL	6,000 SF
MEZZANINE	2,400 SF
TOTAL BUILDING	8,400 SF
SIT DOWN CAPACITY	
MAIN LEVEL	200
MEZZANINE	50

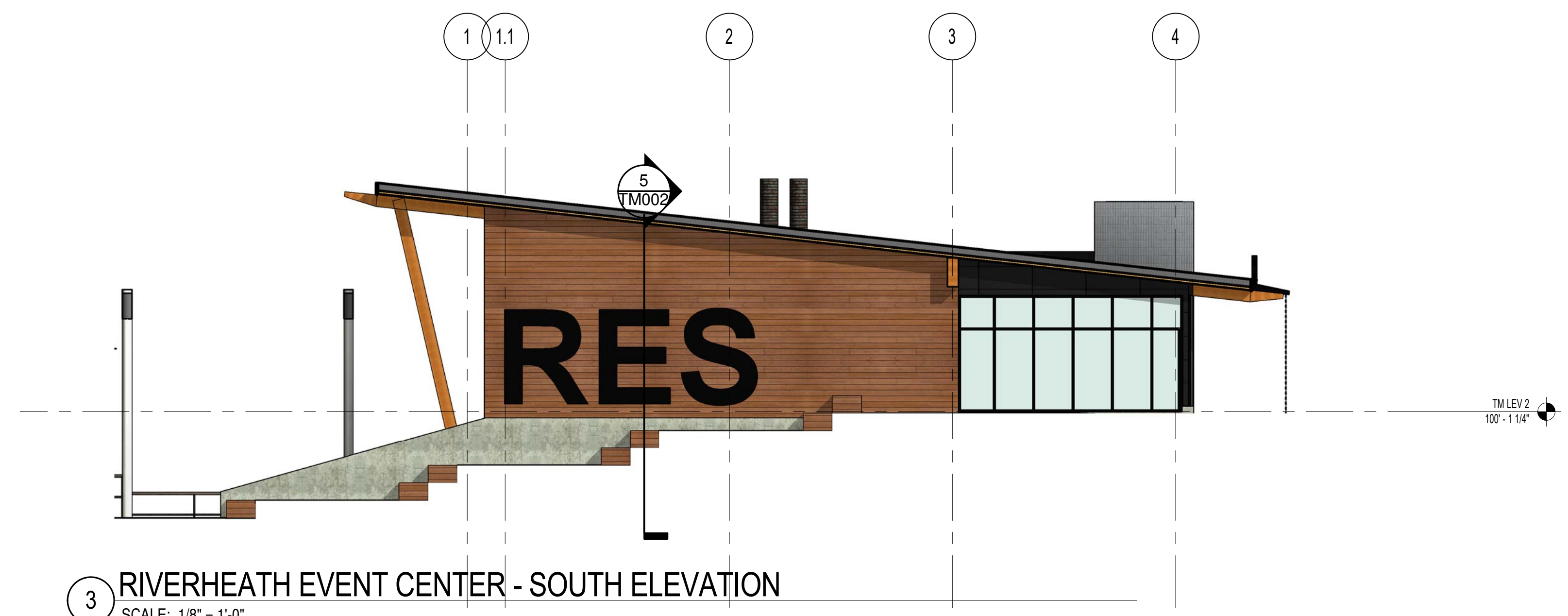


1 RIVERHEATH EVENT CENTER - FIRST FLOOR
SCALE: 1/8" = 1'-0"

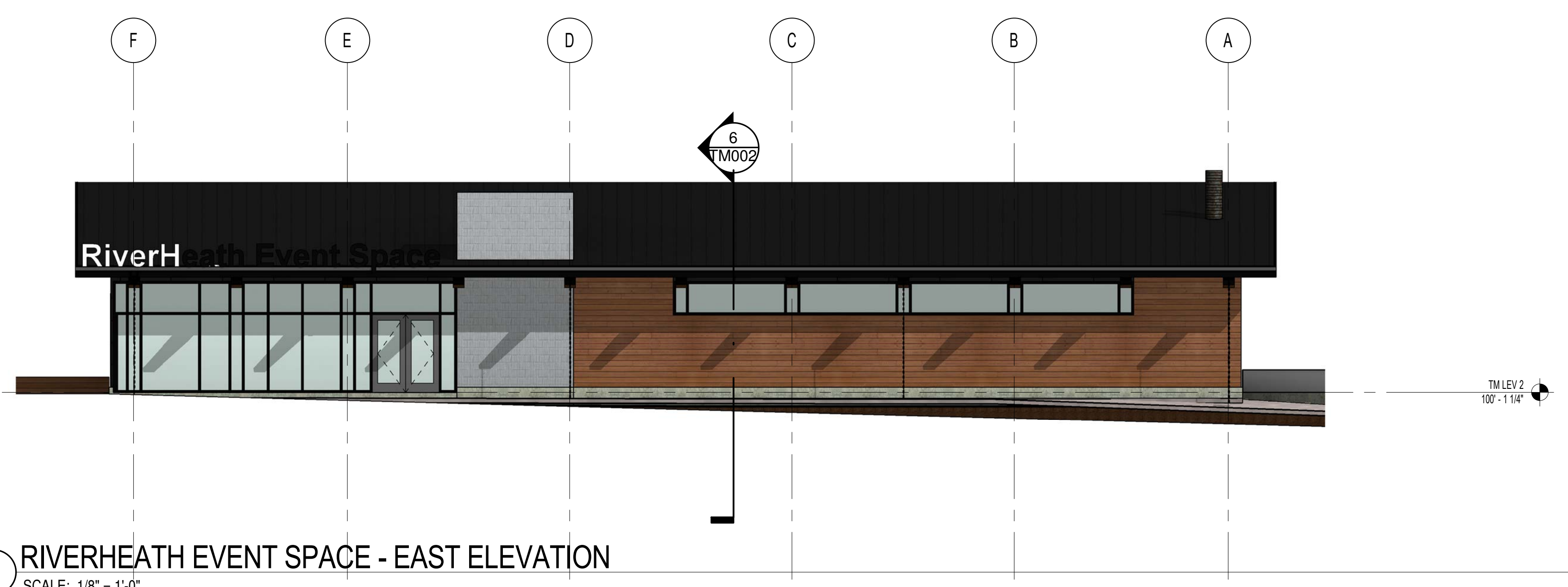
RIVERHEATH EVENT SPACE



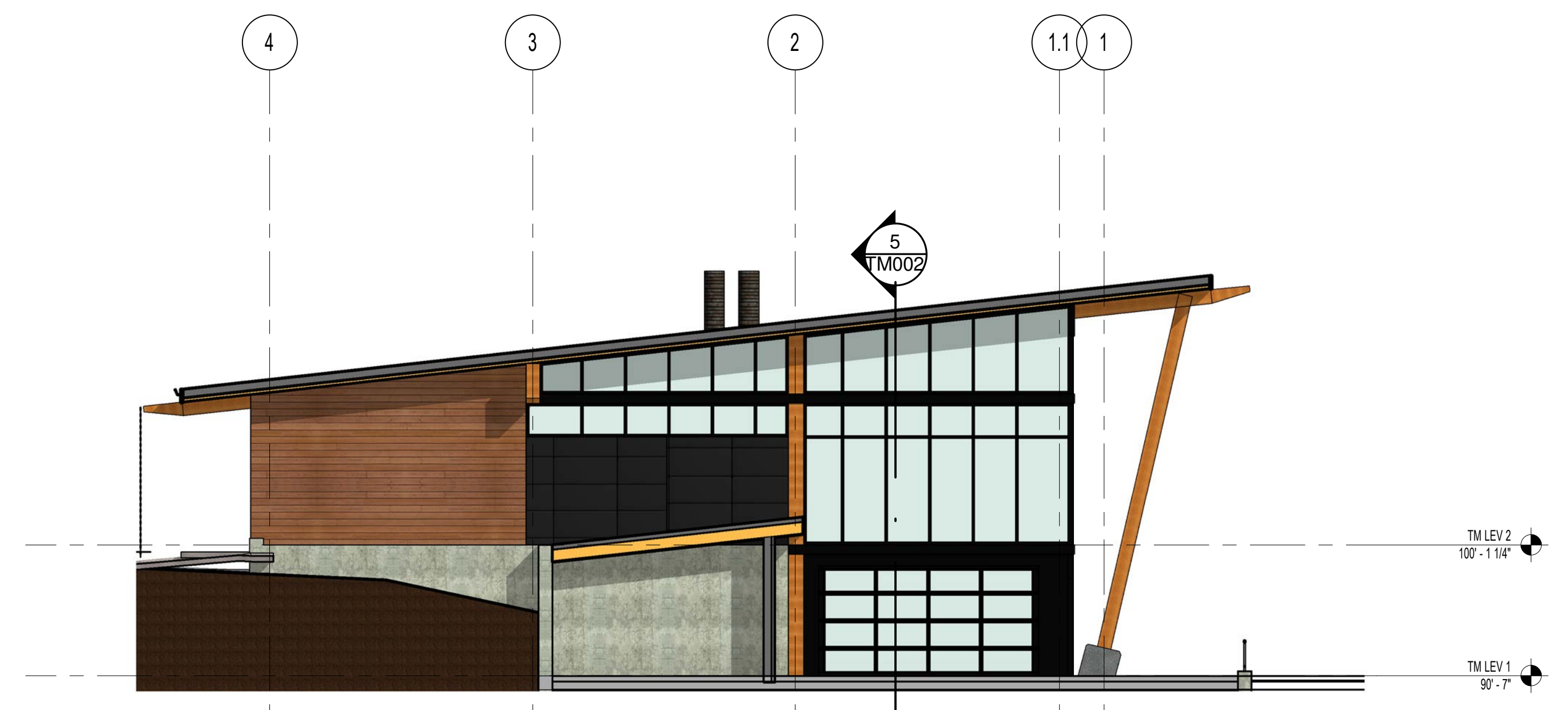
FLOOR PLANS & 3D VIEWS
SCALE: As indicated



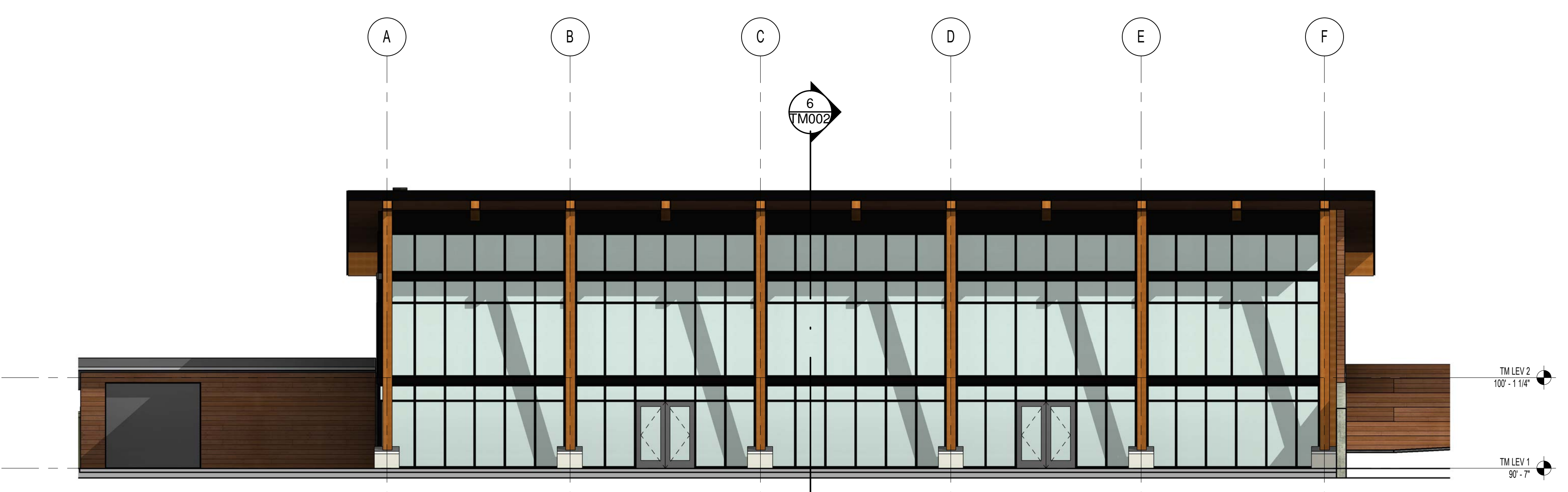
3 RIVERHEATH EVENT CENTER - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



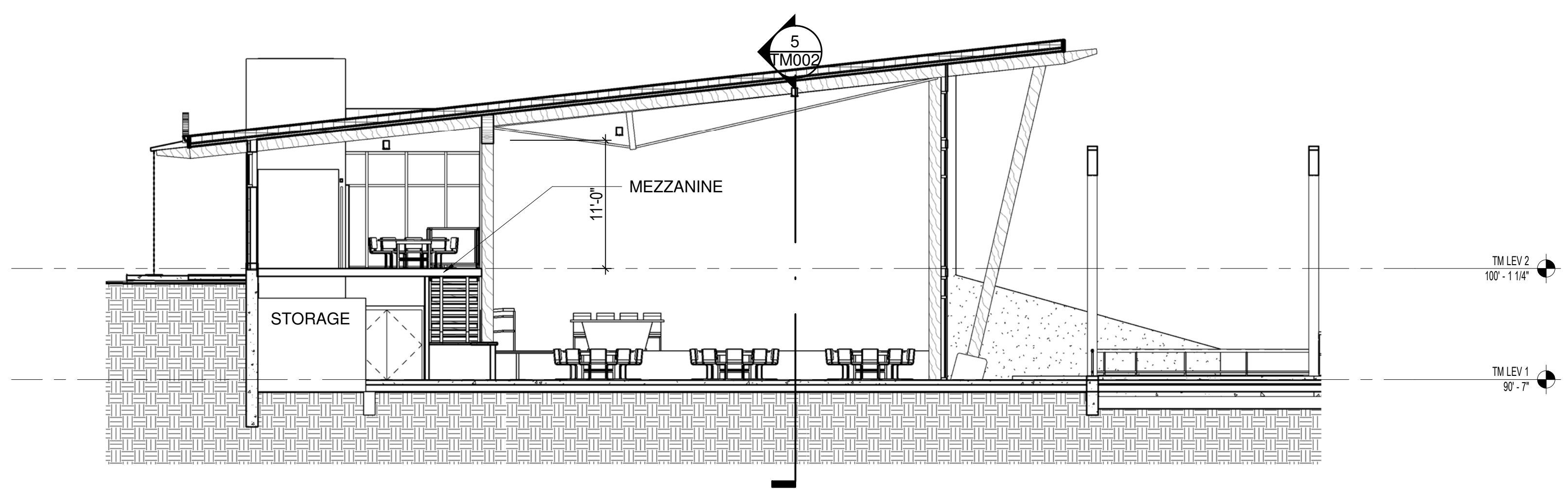
1 RIVERHEATH EVENT SPACE - EAST ELEVATION
SCALE: 1/8" = 1'-0"



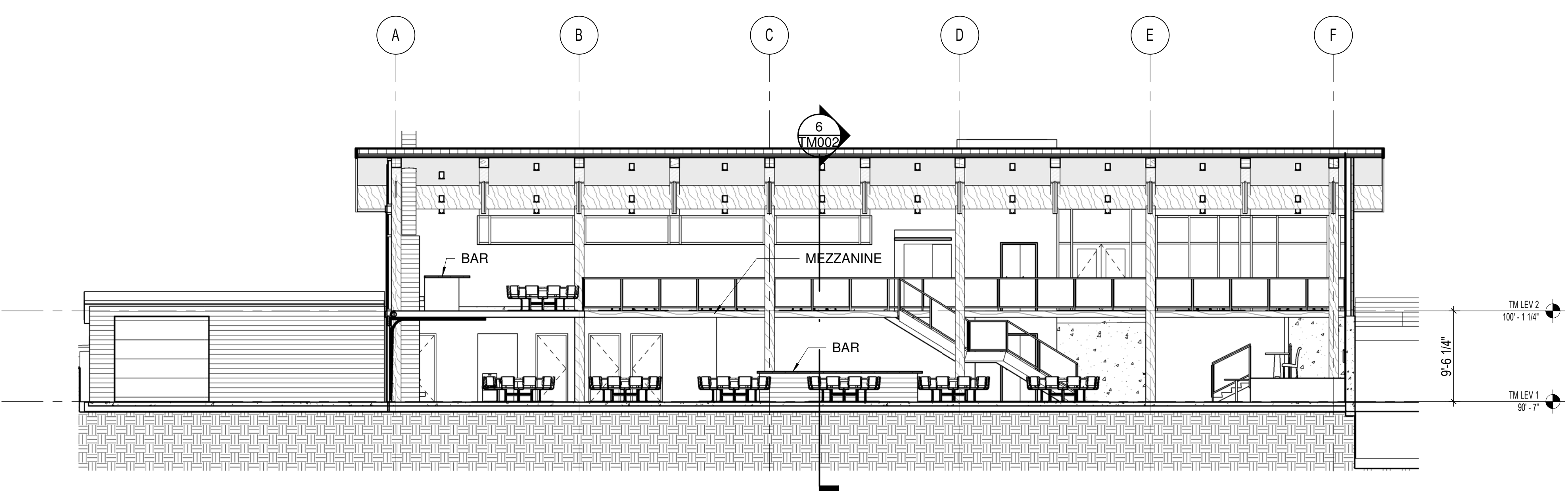
2 RIVERHEATH EVENT SPACE - NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 RIVERHEATH EVENT SPACE - WEST ELEVATION
SCALE: 1/8" = 1'-0"

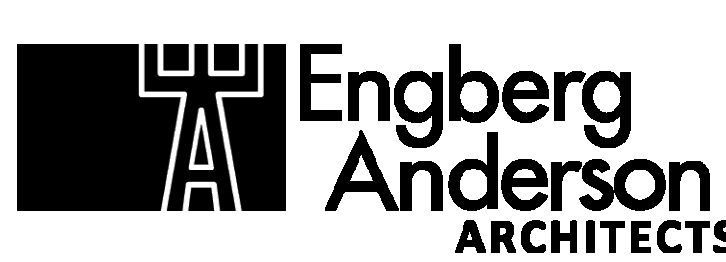


6 RIVERHEATH EVENT SPACE - SECTION B
SCALE: 1/8" = 1'-0"



5 RIVERHEATH EVENT SPACE -SECTION A
SCALE: 1/8" = 1'-0"

RIVERHEATH EVENT SPACE



SECTIONS & ELEVATIONS
SCALE: 1/8" = 1'-0"

Approved Site Plan #4-20

